

By Mr. O'CONNELL: Petition of Bunker Hill Lodge, International Association of Mechanics, favoring construction of revenue cutter at the Boston Navy Yard; to the Committee on Naval Affairs.

By Mr. REEDER: Petition of citizens of Kansas, against parcels-post legislation; to the Committee on the Post Office and Post Roads.

By Mr. ROBINSON: Petition of Ed. Mahley and others, for construction of the battleship *New York* in Government navy yards; to the Committee on Naval Affairs.

Also, paper to accompany bill for relief of heirs of M. L. Dillon; to the Committee on War Claims.

Also, paper to accompany bill for construction of a post-office building at Stuttgart, Ark. (H. R. 32215); to the Committee on Public Buildings and Grounds.

By Mr. STERLING: Petition of J. J. Wilmert and others and memorial of the First Methodist Episcopal Church of Lincoln, Ill., relating to H. R. 23641; to the Committee on the Judiciary.

Also, petition of L. Eisevinger & Sons, of Broadwell, Ill., against the parcels-post law; to the Committee on the Post Office and Post Roads.

By Mr. SULZER: Petition of Model Grange, No. 561, Winnebago, Wis., for parcels-post system; to the Committee on the Post Office and Post Roads.

Also, petition of United States Customs Employees' Mutual Benevolent Association of New York, for increase of salaries as per House joint resolution 258; to the Committee on Appropriations.

By Mr. TOU VELLE: Petition of business men of Delphos, Ohio, for construction of the battleship *New York* in a Government navy yard; to the Committee on Naval Affairs.

SENATE.

TUESDAY, January 31, 1911.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

The Vice President being absent, the President pro tempore took the chair.

The Secretary proceeded to read the Journal of yesterday's proceedings when, on request of Mr. KEAN, and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CONSTITUTION OF ARIZONA.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Interior, transmitting a copy of the constitution adopted by the constitutional convention of the Territory of Arizona (S. Doc. No. 798), which, on motion of Mr. KEAN, was (with the accompanying paper) referred to the Committee on Territories and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate communications from the assistant clerk of the Court of Claims, transmitting certified copies of the findings of fact and conclusions of law filed by the court in the following causes:

Fred Blum and sundry subnumbered cases (Pensacola Navy Yard) *v.* The United States (S. Doc. No. 791);

Nicholas A. Brooks (Brooklyn Navy Yard) *v.* The United States (S. Doc. No. 792);

Mrs. Martin Grady, widow of Martin Grady, deceased (Norfolk Navy Yard) *v.* The United States (S. Doc. No. 793);

William Evans and sundry subnumbered cases (Washington, D. C., Navy Yard) *v.* The United States (S. Doc. No. 794);

Sanford Bilyen and sundry subnumbered cases (League Island Navy Yard) *v.* The United States (S. Doc. No. 795);

William A. Ashe and sundry subnumbered cases (Portsmouth Navy Yard, N. H.) *v.* The United States (S. Doc. No. 796); and

Allen Bush and sundry subnumbered cases (Pensacola Navy Yard) *v.* The United States (S. Doc. No. 797).

The foregoing findings were, with the accompanying papers, referred to the Committee on Claims and ordered to be printed.

EAST WASHINGTON HEIGHTS TRACTION RAILROAD CO.

The PRESIDENT pro tempore laid before the Senate the annual report of the East Washington Heights Traction Railroad Co. for the fiscal year ended December 31, 1910 (S. Doc. No. 799), which was referred to the Committee on the District of Columbia and ordered to be printed.

REPORT OF THE CAPITAL TRACTION CO.

The PRESIDENT pro tempore laid before the Senate the annual report of the Capital Traction Co. for the fiscal year ended December 31, 1910 (H. Doc. No. 1330), which was referred to

the Committee on the District of Columbia and ordered to be printed.

PETITIONS AND MEMORIALS.

The PRESIDENT pro tempore presented a telegram from the speaker of the House of Representatives of the State of Ohio, transmitting certain information relative to the adoption by that body of a joint resolution requesting Congress to pass the so-called old-age pension bill, which was referred to the Committee on Pensions and ordered to be printed in the Record, as follows:

COLUMBUS, OHIO, January 30, 1911.

PRESIDENT OF THE SENATE, Washington, D. C.:

The Ohio House of Representatives, with but one dissenting vote, has passed joint resolution No. 5, requesting the Congress of the United States to pass the Sulloway bill, known as H. R. 29346. This resolution is now pending in the senate.

S. J. VINING, Speaker.

CHAS. W. KEMPFL, Clerk.

Mr. KEAN presented the memorial of D. T. MacLeod, of Merchantville, N. J., remonstrating against the establishment of a department of public health, which was referred to the Committee on Public Health and National Quarantine.

He also presented a petition of Excelsior Lodge, No. 11, Brotherhood of Locomotive Firemen and Enginemen, of Phillipsburg, N. J., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Star & Wave Publishing Co., of Cape May City, N. J., praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented memorials of sundry citizens of Summit, East Orange, Newark, and Plainfield, all in the State of New Jersey, and of sundry citizens of Nanuet, N. Y., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of the Grand Army posts of Millville, Newton, Toms River, New Brunswick, Camden, Mount Holly, Beverly, Weehawken, Rahway, Mullica Hill, Vineland, Hopewell, Cape May City, Tuckerton, Perth Amboy, Burlington, Jersey City, Woodbury, and Newark, Department of New Jersey, Grand Army of the Republic; of George G. Meade Camp, No. 29, Sons of Veterans, of Belleville; and of sundry citizens of Plainfield, Morristown, Asbury Park, Vineland, and Rutherford, all in the State of New Jersey, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented a memorial of the Sarsfield Club, of Long Island City, N. Y., remonstrating against the ratification of the treaty of arbitration between the United States and Great Britain, which was referred to the Committee on Foreign Relations.

Mr. GALLINGER presented a memorial of 104 citizens of Washington, D. C., remonstrating against the selection of the site for the proposed colored normal school, which was referred to the Committee on the District of Columbia.

He also presented a petition of the Central Labor Union, American Federation of Labor, of Portsmouth, N. H., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of Unions Nos. 301, 266, 235, and 537, Brotherhood of Railroad Trainmen, of Concord, N. H., praying for the enactment of legislation authorizing the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the New Hampshire Weekly Publishers' Association, praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the North Carolina Society of New York, praying for the enactment of legislation providing for the establishment and maintenance of permanent forests at the headwaters of navigable streams, which was ordered to lie on the table.

Mr. BORAH. I present a joint memorial of the Legislature of the State of Idaho, which I ask may lie on the table and be printed in the Record.

There being no objection, the joint memorial was ordered to lie on the table and to be printed in the Record, as follows:

Senate joint memorial 2.

Your memorialist, the Legislature of the State of Idaho, respectfully represents that—

Whereas large areas of sections 16 and 36 in every township granted to the State of Idaho by the act of Congress of July 3, 1890,

have been embraced within forest reservations, and it is necessary for the State to have the right to make indemnity selections and have them excluded from the national forests: Therefore be it

Resolved, That Congress be petitioned to enact an act providing for the adjustment of the claims of the States and Territories to lands within national forests, H. R. 10584, Calendar No. 591, which passed the House of Representatives April 13, 1910.

The secretary of state is hereby instructed to forward copies of this memorial to the Senate and House of Representatives of the United States and to each of our Representatives in Congress.

The above senate joint memorial No. 2 passed the senate on the 19th day of January, 1911.

L. H. SWEETSER,
President of the Senate.

The above senate joint memorial No. 2 passed the house of representatives on the 25th day of January, 1911.

CHARLES D. STOREY,
Speaker of the House of Representatives.

I hereby certify that the above senate joint memorial No. 2 originated in the senate during the eleventh session of the Legislature of the State of Idaho.

CHAS. W. DEMPSTER,
Secretary of the Senate.

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, W. L. Gifford, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of senate joint memorial No. 2, by Kerns, memorializing Congress of the United States in relation to sections 16 and 36, embraced within the national forest reservations.

Passed the senate January 19, 1911.

Passed the house January 25, 1911.

Which was filed in this office the 25th day of January, A. D. 1911, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Boise City, the capital of Idaho, this 25th day of January, A. D. 1911.

[SEAL.]

W. L. GIFFORD, *Secretary of State.*

Mr. BORAH. I present a joint memorial of the Legislature of the State of Idaho, which I ask may be printed in the RECORD and referred to the Committee on Military Affairs.

There being no objection, the joint memorial was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

House joint memorial 3.

To the honorable the Senators and Representatives of the United States in Congress assembled:

Your memorialist, the Legislature of the State of Idaho, prays that the land and buildings comprising the Fort Walla Walla Military Reservation and barracks may be granted to Whitman College. The reasons deemed sufficient to justify this memorial are set forth in the following statement:

The War Department has determined that the military service does not require the maintenance of a military post at Fort Walla Walla and the troops have been withdrawn, except a few necessary caretakers, so that in future the preservation of the property will be a burden upon the Government, without any compensating benefit.

The property is, by reason of its situation and character, adapted to the needs of Whitman College. Its use by the college will be the best use to which it can be devoted, and the Nation will derive the greatest benefit from the property by intrusting it to an institution in every way worthy and capable of using it in the cause of higher education.

There is within the boundaries of the reservation a soldiers' cemetery, containing the graves of a number of men who died while in the military service of the United States. This cemetery has been well kept by the officers and soldiers heretofore stationed at Fort Walla Walla, and if the prayer of your memorialist shall be granted the trustees of Whitman College will assume an obligation to so care for this soldiers' cemetery as to show perpetually the respect due to our country's defenders.

Texas and Hawaii became annexed to the United States without contributing anything to the wealth of the Nation as a land proprietor, and other acquisitions of territory, except the Oregon country, were purchased and paid for out of the National Treasury; but more than 300,000 square miles of country, comprising the States of Oregon, Washington, Idaho, and parts of Montana and Wyoming, became part of our national domain through the instrumentality of patriotic pioneers, of whom Dr. Marcus Whitman was a type and a leader. They penetrated the wilderness and wrested that country, with its wealth of land, forests, mines, waters, and fisheries, from the grasp of a foreign corporation and held it until the growth of the public sentiment forced the Government to bring to a conclusion the diplomatic controversy with respect to its ownership by the treaty with Great Britain of 1846, whereby the American title was finally recognized and established.

The scene of one of the tragedies of American history is in the immediate vicinity of Fort Walla Walla. There a monument commemorates the lives of Dr. Whitman and his wife and a dozen of their associates, part of the vanguard of American civilization, who were massacred by the aboriginal inhabitants. Our Nation loves to honor those whose names illuminate the pages of its history. For that purpose the Government has willingly expended liberal appropriations in payment for statuary, monuments, and paintings produced by the most talented artists of the world, and the granting of Fort Walla Walla as a contribution to the college founded by an intimate friend and coworker of Dr. Whitman to honor his memory and which has appealed to the sentiment of public-spirited, patriotic citizens, bringing responses in liberal contributions to its endowment, will be heartily approved by the people at large. In return for the national aggrandizement resulting directly from the exertion, privations, and sacrifices of the Oregon pioneers, the Nation can well afford to bestow one section of land and the buildings which it does not require for use as a gift to an institution of learning which the people of the three Northwestern States have adopted as an object of their solicitude and pride.

Whitman College is a privately endowed, nonsectarian, Christian college, intended to supply the need of those States for such an institution

of higher education. It commands the respect and has the earnest sympathy of learned people and good people in every section of the United States, and its destiny is to grow in importance as the country surrounding it shall advance in all the ways that mark the development of arts and sciences. No more fitting monument has been erected, nor to a worthier man.

The State of Washington and its citizens have paid for and donated to the United States the land comprised within two military posts, viz, Fort Lawson, near Seattle, and Fort Wright, near Spokane, each including more than 1,000 acres. These lands were purchased after they became valuable and after they had been selected for military use, and the acquisition thereof for the use of the Government involved labor and patience on the part of the public-spirited citizens in soliciting contributions of land and money, in overcoming objections of owners, and their present value is many times greater than the highest estimate of the value of Fort Walla Walla.

Therefore your said memorialist earnestly recommends the passage of the said resolution and represents that the State of Idaho desires the granting of the land and buildings of the said Fort Walla Walla Military Reserve be made to Whitman College.

This memorial passed the house of representatives on the 23d day of January, 1911.

CHARLES D. STOREY,
Speaker of the House of Representatives.

This memorial passed the senate on the 24th day of January, 1911.

L. H. SWEETSER,
President of the Senate.

This memorial received by the governor on the 25th day of January, 1911, at 11.20 o'clock, and approved on the 25th day of January, 1911.

JAMES H. HAWLEY, *Governor.*

I hereby certify that the within house joint memorial No. 3 originated in the house of representatives of the Legislature of the State of Idaho during the eleventh session.

JAMES H. WALLIS,
Chief Clerk of the House of Representatives.

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, W. L. Gifford, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 3, by Black and Galloway, recommending the passage of a resolution granting what is known as Fort Walla Walla Military Reserve and buildings thereon to Whitman College, in the State of Washington.

Passed the house January 23, 1911.

Passed the senate January 24, 1911.

Which was filed in this office the 25th day of January, A. D. 1911, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Boise City, the capital of Idaho, this 26th day of January, A. D. 1911.

[SEAL.]

W. L. GIFFORD, *Secretary of State.*

Mr. NELSON presented petitions of sundry Grand Army posts of Henderson, Plainview, Winona, Sauk Center, and Caledonia, all in the State of Minnesota, praying for the passage of the old-age pension bill, which were referred to the Committee on Pensions.

He also presented a petition of sundry citizens and business firms of Winona, Minn., praying that an investigation be made relative to the existing conditions in the conduct of the Post Office Department, etc., which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Trades and Labor Assembly of St. Paul, Minn., praying for the enactment of legislation to further restrict immigration, which was referred to the Committee on Immigration.

He also presented a petition of the Modern Brotherhood of America, of Wadena, Minn., praying for the enactment of legislation authorizing the admission of publications of fraternal societies to the mails as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

Mr. NELSON. I present a memorial of the National Editorial Association, of Hutchinson, Kans.; the American Envelope Manufacturers' Association, of St. Louis, Mo.; the International Association of Photo-Engravers, of Washington, D. C.; the National Association of Stationers and Manufacturers, of New York City, N. Y.; the National Paper Trade Association, of Washington, D. C.; the Printers' League of America, of New York City, N. Y.; and of the United Typothetae of America, of Washington, D. C., praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes.

I move that the memorial be printed as a document and referred to the Committee on Post Offices and Post Roads.

The motion was agreed to.

Mr. DICK presented petitions of sundry members of the Grand Army of the Republic, of Stryker, Prairie Depot, Clyde, Edison, McArthur, Delaware, Bloomville, Convoys, Rarden, Flushing, Marysville, Morgan County, all in the State of Ohio, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented petitions of Local Union No. 234, Metal Polishers' Union, of Fremont; of Local Union No. 129, Journeymen Barbers' Union, of Cleveland; of Local Union No. 307, International Union of Steam Engineers, of Lorain; of Local Union No. 24, National Brotherhood of Operative Potters, of

Wellsville; and of Local Union No. 1, National Brotherhood of Operative Potters, of Toronto, all in the State of Ohio, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

He also presented petitions of Typographical Union No. 5, of Columbus, Ohio, and of sundry citizens of Youngstown, Ohio, praying for the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of Local Camp No. 28, Woodmen of the World, of Wapakoneta; of Local Lodge No. 1040, of Akron; of Local Lodge No. 213, of Van Wert; and of Local Lodge No. 951, of Toledo, all of the Modern Brotherhood of America, in the State of Ohio; and of Local Lodge No. 438, Brotherhood of Locomotive Firemen and Engineers, of Cheyenne, Wyo., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the farmers' institute of Frankford, Ohio, praying that an appropriation be made for the extension of the work of the Office of Public Roads, Department of Agriculture, which was referred to the Committee on Agriculture and Forestry.

He also presented a petition of sundry citizens of Fairfield County, Ohio, praying that an appropriation be made for the improvement of the Hocking River, in that State, which was referred to the Committee on Commerce.

Mr. CULLOM presented a petition of Local Union No. 117, Bartenders' Protective and Benevolent League, of Belleville, Ill., praying for the repeal of the present oleomargarine law, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of sundry citizens of Wing and Aurora, in the State of Illinois, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

He also presented petitions of sundry citizens of Watseka, Polo, Bradford, Paxton, Greenville, Batavia, and Prophetstown, all in the State of Illinois, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

Mr. McCUMBER. I present a concurrent resolution adopted by the Twelfth Legislative Assembly of the State of North Dakota, which I ask may be printed in the RECORD and referred to the Committee on Agriculture and Forestry.

There being no objection, the concurrent resolution was referred to the Committee on Agriculture and Forestry and ordered to be printed in the RECORD, as follows:

Twelfth Legislative Assembly, State of North Dakota. A concurrent resolution, by Mr. McLean.

Whereas the free distribution of garden seeds, flower seeds, and bulbs has come to be looked upon as a vast expenditure of money annually without adequate recompense, seeds being distributed promiscuously by our Senators and Congressmen generally far removed from places where grown, hence are not suited to climate or soil conditions, and are therefore no material benefit, besides incumbering our Senators and Representatives with a vast amount of unnecessary trouble and labor: Therefore, be it

Resolved by the senate of the State of North Dakota (the house concurring). That it believes the expenditure of approximately the sum of \$500,000 annually for the free distribution of the various kinds of garden seeds is uncalled for and unnecessary and should be abolished, unless for the propagation and distribution of the various kinds of grasses and clover seed: be it further

Resolved. That the secretary of the senate and the chief clerk of the house be, and they are hereby, instructed to mail a copy of these resolutions to our Senators and Representatives in Congress.

This is to certify that the foregoing concurrent resolution originated in the senate and was concurred in by the house of representatives of the Twelfth Legislative Assembly of the State of North Dakota.

USHER L. BURDICK,
President of the Senate.

J. B. HANLY,
Speaker of the House of Representatives.

Mr. SCOTT presented a petition of Local Union No. 785, Brotherhood of Locomotive Firemen and Engineers, of Elkins, W. Va., praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the West Virginia State Horticultural Society, praying for the enactment of legislation providing for the quarantining and inspecting of all nursery stock, etc., which was referred to the Committee on Agriculture and Forestry.

Mr. BURROWS presented a memorial of sundry citizens of Frankenmuth, Mich., remonstrating against the enactment of legislation to prohibit the printing of certain matter on stamped envelopes, which was referred to the Committee on Post Offices and Post Roads.

He also presented a petition of the Michigan Society of the Sons of the American Revolution, praying for the enactment of legislation providing for the publication of all the archives of the Government relating to the War of the Revolution, which was ordered to lie on the table.

He also presented a petition of the Second District Dental Society, of Michigan, praying for the enactment of legislation providing for the appointment of dental surgeons in the Navy, which was referred to the Committee on Naval Affairs.

He also presented a petition of the Woman's Reading Club, of Sault Ste. Marie, Mich., praying for the enactment of legislation providing that an investigation be made into the condition of dairy products, for the prevention and spread of tuberculosis, which was referred to the Committee on Agriculture and Forestry.

He also presented petitions of local Grand Army posts and of sundry citizens of Jackson, Marshall, Three Rivers, Mason, Vassar, Lyons, Saginaw, Marquette, Davison, Saugatuck, Milan, Harbor Springs, Kalkaska, Colon, Hastings, Morenci, Bloomingdale, Buchanan, Mancelona, Sanford, Marcellus, Otsego, Hemlock, Albion, Olivet, Lawton, Mayville, Mendon, Saline, Three Oaks, Scotts, Portland, Allegan, Detroit, Sherwood, North Branch, and Cassopolis, all in the State of Michigan, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented petitions of local lodges, Modern Brotherhood of America, of Flint, Cooks, Harbor Beach, Detroit, Adrian, Marquette, Grand Lodge, Escanaba, Birmingham, Elsie, Owosso, Alpena, Linden, Michigamme, Port Huron, Brown City, Trenton, Pontiac, Jackson, Mount Clemens, Grand Rapids, Eau Claire, Colema, Sears, Buckley, Hubbell, Wyandotte, and Daggett; and of local lodges, Brotherhood of Railroad Trainmen, of Traverse City and Port Huron; and of local camps, Woodmen of the World, of Marquette and Bay City, all in the State of Michigan, praying for the enactment of legislation providing for the admission of publications of fraternal societies to the mail as second-class matter, which were referred to the Committee on Post Offices and Post Roads.

Mr. JONES presented memorials of sundry citizens of Addy, Chewelah, Colville, Connell, Cunningham, Dayton, Deer Park, Kennewick, Kettle Falls, Lind, Pasco, and Walla Walla, all in the State of Washington, remonstrating against the passage of the so-called parcels-post bill, which were referred to the Committee on Post Offices and Post Roads.

Mr. YOUNG presented a petition of the City Council of Council Bluffs, Iowa, and a petition of sundry railway postal clerks of Omaha, Nebr., praying for the enactment of legislation providing for an improvement in the Railway Mail Service of the country, and also for an increase in the wages of railway mail clerks, which were referred to the Committee on Post Offices and Post Roads.

Mr. DAVIS. I present telegrams, in the nature of petitions, from the Business Men's League and the Board of Trade of Helena, Ark., and the Buckeye Oil Co., of Little Rock, Ark., relative to the Canadian reciprocity agreement. The telegrams are short, and I move that they be printed in the RECORD and referred to the Committee on Foreign Relations.

There being no objection, the telegrams were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

HELENA, ARK., January 30, 1911.

Senator JEFF DAVIS, Washington, D. C.:

Canadian reciprocity agreement puts cottonseed oil on free list. Request that you advocate ratification if you can consistently do so.
BUSINESS MEN'S LEAGUE.

LITTLE ROCK, ARK., January 28, 1911.

Hon. JEFF DAVIS,
United States Senate, Washington, D. C.:

Canadian reciprocity agreement puts cottonseed oil on the free list and reduces other duties in which our industry is interested. Please advocate ratification as strongly as you find consistent. The short time remaining and our vital interest in this matter force us to beg that you give this immediate attention.

THE BUCKEYE COTTON OIL CO.

HELENA, ARK., January 30, 1911.

Senator JEFF DAVIS, Washington, D. C.:

The Canadian reciprocity agreement contemplates placing cottonseed oil on free list, and we respectfully request that you insist upon ratification, as it is greatly to the interest of this State.

HELENA BOARD OF TRADE,
JOS. L. SOLOMAN, President.

Mr. TERRELL. I present a petition from the Farmers' Educational and Cooperative Union of America, relative to the general parcels-post bill. I ask that the petition be printed in the RECORD and referred to the Committee on Post Offices and Post Roads.

There being no objection, the petition was referred to the Committee on Post Offices and Post Roads and ordered to be printed in the RECORD, as follows:

[Farmers' Educational and Cooperative Union of America. Office of Secretary-Treasurer, Texarkana, Tex.]

To the Senate of the United States:

We, the national officers and State presidents of the Farmers' Educational and Cooperative Union of America, who have been delegated to represent 39 States, with a membership of 3,000,000, respectfully petition and ask your honorable body to pass a general parcels-post bill and will ever pray.

C. S. BARRETT,
President Farmers' Educational and
Cooperative Union of America.
W. R. CALLICOTTE,
Vice President National Union.
A. C. DAVIS,
Secretary Treasurer National Union.

Mr. CURTIS. I present resolutions adopted by the Great Council of the United States of the Improved Order of Red Men, which I ask may be printed in the RECORD and referred to the Committee on the Library.

There being no objection, the resolutions were referred to the Committee on the Library and ordered to be printed in the RECORD, as follows:

The following is a true copy of resolutions adopted by the Great Council of the United States of the Improved Order of Red Men at its annual session held in Toledo, Ohio, on September 15, 1910:

Be it resolved by the Great Council of the United States of the Improved Order of Red Men, That the Government and the people of the United States of America owe to the American Indian an everlasting debt of gratitude; that said debt can be best discharged at this late day by erecting in their honor and memory a great American Indian memorial and museum building, in which to house and preserve the evidences of their former existence, history, and characteristics, now going to decay throughout our land; that the further failure of our American Government to take action in this regard might be construed by enlightened nations as national ingratitude; and be it

Resolved, That it is the sense of this Great Council, in national council assembled, and representing more than a half million patriotic citizens of America, that the Government of the United States should without delay erect, establish, equip, and maintain a proper, fitting, and adequate Indian memorial building and museum, and therein conserve and preserve the various articles of Indian husbandry, warfare, and the chase, together with the legends, history, and other evidences of the manners, customs, and characteristics of the American Indian, in order that the world through all ages may have a proper conception of the lofty character, personal integrity, religious conceptions, and the true life of that mighty race whom we as American citizens have driven before us in the march of progress to their last stand, now fading away; and be it further

Resolved, That the Great Council of the United States of the Improved Order of Red Men shall and does hereby petition the President and the Congress of the United States of America to establish, equip, and maintain such an American Indian memorial and museum as here indicated; that in this behalf the Improved Order of Red Men, through this, its national representative body, hereby tenders and pledges to the Government of the United States its service in whatever way and measure may lie within its power, to the end that proper gratitude may be shown to the memory of the noble red man; and be it further

Resolved, That suitably prepared copies of these resolutions be presented to the President and the Congress of the United States at such time and in such manner as may be determined by the great chiefs of this Great Council, and that the said great chiefs shall use every honorable endeavor to promulgate this proposition as shall be deemed necessary and expedient in the premises.

GEO. B. GRIGGS, *Great Inchohonce*.

Attest:
[SEAL.]

WILSON BROOKS,
Great Chief of Records.

Mr. CURTIS. I present a telegram from the Legislature of the State of Kansas, which I ask may be printed in the RECORD and referred to the Committee on Industrial Expositions.

There being no objection, the telegram was referred to the Committee on Industrial Expositions and ordered to be printed in the RECORD, as follows:

TOPEKA, KANS., January 30, 1911.

HON. CHARLES CURTIS,
Senate Chamber, Washington, D. C.:

You are hereby notified that both houses of the Kansas Legislature to-day adopted a resolution indorsing San Francisco as the site for the proposed Panama Canal celebration of 1915.

WALTER A. JOHNSON,
Secretary of Senate.
EARL DOUGLASS,
Assistant Chief Clerk of House of Representatives.

Mr. WARREN. I present house joint memorial No. 3, of the eleventh session of the Legislature of the State of Idaho, favoring the granting of lands embraced in the abandoned Fort Walla Walla Military Reservation, in the State of Washington, to Whitman College. I ask that the joint memorial be printed in the RECORD and ordered to lie on the table, as the matter referred to was incorporated in Senate bill 3196, which has passed the Senate and is now on the House Calendar.

There being no objection, the joint memorial was ordered to lie on the table and be printed in the RECORD, as follows:

House joint memorial 3.

To the honorable the Senators and Representatives of the United States in Congress assembled:

Your memorialist, the Legislature of the State of Idaho, prays that the land and buildings comprising the Fort Walla Walla Military Reservation and Barracks may be granted to Whitman College. The reasons deemed sufficient to justify this memorial are set forth in the following statement:

The War Department has determined that the military service does not require the maintenance of a military post at Fort Walla Walla, and the troops have been withdrawn, except a few necessary caretakers, so that in future the preservation of the property will be a burden upon the Government, without any compensating benefit.

The property is, by reason of its situation and character, adapted to the needs of Whitman College, its use by the college will be the best use to which it can be devoted, and the Nation will derive the greatest benefit from the property by intrusting it to an institution in every way worthy and capable of using it in the cause of higher education.

There is within the boundaries of the reservation a soldiers' cemetery containing the graves of a number of men who died while in the military service of the United States. This cemetery has been well kept by the officers and soldiers heretofore stationed at Fort Walla Walla, and if the prayer of your memorialist shall be granted the trustees of Whitman College will assume an obligation to so care for this soldiers' cemetery as to show perpetually the respect due to our country's defenders.

Texas and Hawaii became annexed to the United States without contributing anything to the wealth of the Nation as a land proprietor, and other acquisitions of territory, except the Oregon country, were purchased and paid for out of the National Treasury, but more than 300,000 square miles of country, comprising the States of Oregon, Washington, Idaho, and parts of Montana and Wyoming, became part of our national domain through the instrumentality of patriotic pioneers, of whom Dr. Marcus Whitman was a type and a leader. They penetrated the wilderness and wrested that country with its wealth of land, forests, mines, waters, and fisheries from the grasp of a foreign corporation, and held it until the growth of the public sentiment forced the Government to bring to a conclusion the diplomatic controversy with respect to its ownership by the treaty with Great Britain of 1846, whereby the American title was finally recognized and established.

The scene of one of the tragedies of American history is in the immediate vicinity of Fort Walla Walla. There a monument commemorates the lives of Dr. Whitman and his wife and a dozen of their associates, part of the vanguard of American civilization, who were massacred by the aboriginal inhabitants. Our Nation loves to honor those whose names illuminate the pages of its history. For that purpose the Government has willingly expended liberal appropriations in payment for statuary, monuments, and paintings produced by the most talented artists of the world, and the granting of Fort Walla Walla as a contribution to the college founded by an intimate friend and coworker of Dr. Whitman to honor his memory, and which has appealed to the sentiment of public-spirited, patriotic citizens, bringing responses in liberal contributions to its endowment, will be heartily approved by the people at large. In return for the national aggrandizement resulting directly from the exertion, privations, and sacrifices of the Oregon pioneers, the Nation can well afford to bestow one section of land and the buildings which it does not require for use as a gift to an institution of learning which the people of the three Northwestern States have adopted as an object of their solicitude and pride.

Whitman College is a privately endowed, nonsectarian, Christian college, intended to supply the need of those States for such an institution of higher education. It commands the respect and has the earnest sympathy of learned people and good people in every section of the United States, and its destiny is to grow in importance as the country surrounding it shall advance in all ways that mark the development of arts and sciences. No more fitting monument has been erected, nor to a worthier man.

The State of Washington and its citizens have paid for and donated to the United States the land comprised within two military posts, viz. Fort Lawton, near Seattle, and Fort Wright, near Spokane, each including more than 1,000 acres. These lands were purchased after they became valuable and after they had been selected for military use, and the acquisition thereof for the use of the Government involved labor and patience on the part of the public-spirited citizens in soliciting contributions of land and money, in overcoming objections of owners, and their present value is many times greater than the highest estimate of the value of Fort Walla Walla.

Therefore your said memorialist earnestly recommends the passage of the said resolution, and represents that the State of Idaho desires the granting of the land and buildings of the said Fort Walla Walla Military Reserve be made to Whitman College.

This memorial passed the house of representatives on the 23d day of January, 1911.

CHARLES D. STOREY,
Speaker of the House of Representatives.

This memorial passed the Senate on the 24th day of January, 1911.

L. H. SWEETSER,
President of the Senate.

This memorial received by the governor on the 25th day of January, 1911, at 11.20 o'clock, and approved on the 25th day of January, 1911.

JAMES H. HAWLEY, *Governor.*

I hereby certify that the within house joint memorial No. 3 originated in the house of representatives of the Legislature of the State of Idaho during the eleventh session.

JAMES H. WALLIS,
Chief Clerk of the House of Representatives.

STATE OF IDAHO,
DEPARTMENT OF STATE.

I, W. L. Gifford, secretary of state of the State of Idaho, do hereby certify that the annexed is a full, true, and complete transcript of house joint memorial No. 3, by Black and Galloway, recommending the passage of a resolution granting what is known as Fort Walla Walla Military Reserve and buildings thereon to Whitman College in the State of Washington.

Passed the house January 23, 1911.
Passed the senate January 24, 1911.

Which was filed in this office the 25th day of January, A. D. 1911, and admitted to record.

In testimony whereof I have hereunto set my hand and affixed the great seal of the State.

Done at Boise City, the capital of Idaho, this 26th day of January, A. D. 1911.

[SEAL.]

W. L. GIFFORD, *Secretary of State.*

Mr. BURNHAM presented petitions of Louis Bell Post, No. 3, of Manchester; George A. Gay Post, No. 18, of Newmarket; and George F. Sweatt Post, No. 38, of Franklin, all of the Department of New Hampshire, Grand Army of the Republic, in the State of New Hampshire, praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

He also presented a petition of the Chicago Association of Commerce, of Chicago, Ill., praying for the appointment of a permanent tariff commission, which was referred to the Committee on Finance.

Mr. BRISTOW presented a petition of sundry citizens of Kansas, praying for the enactment of legislation authorizing the battleship *New York* to be built in a Government navy yard, which was referred to the Committee on Naval Affairs.

Mr. RAYNER presented petitions of Local Councils of Habnab, Brunswick, and Tilghman, all of the Junior Order of American Mechanics, and of Washington Camp No. 12, Patriotic Sons of America, of Unionville, all in the State of Maryland, praying for the enactment of legislation to further restrict immigration, which were referred to the Committee on Immigration.

Mr. SHIVELY presented petitions of Archer Post, No. 28, of Princeton; Sol Meredith Post, of Richmond; H. D. Washburn Post, No. 220, of Dana; Samuel Ried Post, No. 87, of Salem; C. R. Owen Post, of Clinton; Post No. 51, of Monticello; Windfall Post, of Windfall; Custer Post, No. 232, of Wakarusa; Lookout Post, of Noblesville; B. J. Crosswaite Post, No. 150, of Angola; Bryant Post, No. 62, of Williamsport; New Castle Post, of New Castle; Oxford Post, of Oxford; Williams Post, of Muncie; Shiloh Field Post, of Elkhart; Masters Post, No. 120, of Boonville; R. M. Kelly Post, No. 217, of Edinburg; Gordon Tanner Post, of Brownstown; Sol. D. Kempton Post, No. 228, of Fortville; Sion S. Bass Post, No. 40, of Fort Wayne; Gaskins Post, of Farmersburg; Nathan Kimball Post, No. 192, of Linton; Samuel H. Dunbar Post, No. 92, of Greenfield; Thomas Harrison Post, No. 30, of Kokomo; Nelson Trusler Post, of Winchester; Jasper Packard Post, No. 589, of La Fayette; James R. Slack Post, No. 137, of Huntington; Sam. Henry Post, No. 63, of Decatur; Benj. J. Spooner Post, No. 586, of Yorkville; Post No. 126, of Connorsville; General Shunk Post, No. 23, of Marion, Department of Indiana, Grand Army of the Republic, of the State of Indiana; and of veteran soldiers' meeting, of Vincennes; William Price and 171 other citizens, of Upland; Ex-Soldiers and Sailors Association, of Elkhart; John C. Nelson, of Logansport; M. M. Gustus, of Bluffton; Edward Tuhey, mayor of Muncie; J. C. Scheffler, of Wolcottville, all of the State of Indiana; and of Lieut. C. W. Hartup, of Eagle Pass, Tex., praying for the passage of the so-called old-age pension bill, which were referred to the Committee on Pensions.

Mr. STONE. I present a memorial of the Legislature of the State of Missouri, which I ask may lie on the table and be printed in the RECORD.

There being no objection, the memorial was ordered to lie on the table and be printed in the RECORD, as follows:

A memorial from the General Assembly of the State of Missouri to the Congress of the United States, asking for the submission of an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people.

Resolved by the senate (the house of representatives concurring therein), That the Congress of the United States be, and it is hereby requested to submit to the legislatures of the various States an amendment to the Constitution of the United States providing for the election of United States Senators by direct vote of the people of the various States; and be it further

Resolved, That the secretary of the senate be, and he is hereby, instructed to transmit copies of this memorial to Senator WILLIAM JOEL STONE and the Hon. CHAMP CLARK, with the request that they present the same to the United States Senate and the House of Representatives, respectively.

Mr. STONE. I present a concurrent resolution of the Legislature of the State of Missouri, which I ask may be printed in the RECORD and referred to the Committee on Industrial Expositions.

There being no objection, the concurrent resolution was referred to the Committee on Industrial Expositions and ordered to be printed in the RECORD, as follows:

Concurrent resolution.

Whereas it is now contemplated to celebrate the completion of the great Panama Canal by a world's exposition of its resources, developments, and achievements, in the year 1915; and

Whereas there is now pending in the Congress of the United States a bill providing for a governmental supervision of said exposition and

designating the city of New Orleans, La., as the place for holding the same; and

Whereas the city of New Orleans is the natural gateway for the great river commerce of the Mississippi and its tributaries, and the holding of such an exposition will greatly tend to attract national attention to the necessity for river improvement in the Mississippi Valley; and

Whereas the city of New Orleans is more accessible to the greater number of citizens of the United States, and its citizens have always been in the forefront of every movement seeking to improve river navigation and commerce, and likewise contributed actively and generously to the success of the Louisiana Purchase Exposition, recently held in the State of Missouri: Now, therefore, be it

Resolved by the senate of the State of Missouri (the house concurring therein), That the United States Senators and Members of Congress from Missouri be urgently requested, one and all, to vote for the city of New Orleans as the place for holding the world's Panama Exposition, and to use their influence for the same.

Resolved, That the secretary of the senate and the clerk of the house transmit a copy of these resolutions to every Senator and Representative from this State.

We, the undersigned, Robert S. McClintic, secretary of the senate, and J. Kelly Pool, chief clerk of the house of representatives, of the Forty-sixth General Assembly of the State of Missouri, hereby certify that the above is a true and correct copy of a resolution offered in the senate and concurred in by the house of representatives, as shown by the journals of our respective houses.

Witness our hand at Jefferson City, Mo., this 26th day of January, 1911.

ROBERT S. MCCLINTIC,

Secretary of the Senate.

J. KELLY POOL,

Chief Clerk of the House of Representatives.

REPORTS OF COMMITTEES.

Mr. MARTIN, from the Committee on Commerce, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

A bill (S. 10375) to authorize Hamilton County, Tenn., to construct, maintain, and operate a bridge across the Tennessee River at Chattanooga, Tenn. (Rept. No. 1027); and

A bill (S. 10410) to authorize the Pensacola, Mobile & New Orleans Railway Co., a corporation existing under the laws of the State of Alabama, to construct a bridge over and across the Mobile River and its navigable channels on a line opposite the city of Mobile, Ala. (Rept. No. 1028).

He also, from the same committee, to which was referred the bill (S. 10431) to authorize the Argenta Railway Co. to construct a bridge across the Arkansas River between the cities of Little Rock and Argenta, Ark., reported it with amendments and submitted a report (No. 1029) thereon.

He also, from the Committee on Claims, to which was referred the amendment submitted by himself on the 30th instant, relative to the settlement of certain sums advanced by the States of Virginia and Maryland in 1790 and 1791 to the United States, used toward the erection of public buildings in the District of Columbia, etc., intended to be proposed to the general deficiency appropriation bill, reported favorably thereon and moved that it be referred to the Committee on Appropriations and printed, which was agreed to.

Mr. CRAWFORD, from the Committee on Claims, to which was referred the bill (S. 9204) for the relief of George T. Hamilton, submitted an adverse report (No. 1030) thereon, which was agreed to, and the bill was postponed indefinitely.

He also, from the same committee, to which was referred the bill (S. 7638) for the relief of Belvedere Steele, reported it with an amendment, and submitted a report (No. 1031) thereon.

Mr. OVERMAN, from the Committee on Claims, to which was referred the bill (H. R. 25081) for the relief of Helen S. Hogan, reported it without amendment and submitted a report (No. 1032) thereon.

THE GRAND ARMY OF THE REPUBLIC.

Mr. GALLINGER. I report back favorably from the Committee on the District of Columbia without amendment the bill (S. 10361) to incorporate the Grand Army of the Republic. I call the attention of the Senator from Missouri [Mr. WARNER] to the bill.

Mr. WARNER. I ask unanimous consent for the present consideration of the bill just reported by the Senator from New Hampshire.

The PRESIDENT pro tempore. It will be read to the Senate for its information.

The Secretary read the bill, as follows:

Be it enacted, etc., That Louis Wagner, of Pennsylvania; Robert B. Beath, of Pennsylvania; Samuel S. Burdett, of the District of Columbia; WILLIAM WARNER, of Missouri; James Tanner, of New York; Robert B. Brown, of Ohio; Samuel R. Van Sant, of Minnesota; John E. Gilman, of Massachusetts; Allan C. Bakewell, of New York; Grenville M. Dodge, of Iowa; Claire E. Adams, of Nebraska; William A. Ketcham, of Indiana; Alfred B. Beers, of Connecticut; Bernard Kelly, of Kansas; Thomas S. Hopkins, of the District of Columbia; and the commander in chief of the Grand Army of the Republic, ex officio, during his term of office, together with such persons as they may associate with themselves, and their successors, be, and they hereby are, constituted and created a body corporate of the District of Columbia.

Sec. 2. That the name of such body corporate shall be the Grand Army of the Republic, and by that name it shall have perpetual succession.

Sec. 3. That the purposes and objects of said corporation shall be as follows:

First. To preserve and strengthen those kind and fraternal feelings which bind together the soldiers, sailors, and marines who united to suppress the late rebellion, and to perpetuate the memory and history of the dead.

Second. To assist such former comrades in arms as need help and protection, and to extend needful aid to the widows and orphans of those who have fallen.

Third. To maintain true allegiance to the United States of America, based upon a paramount respect for and fidelity to its Constitution and laws; to discountenance whatever tends to weaken loyalty, incite to insurrection, treason, or rebellion, or in any manner impairs the efficiency and permanency of our free institutions; and to encourage the spread of universal liberty, equal rights, and justice to all men.

Sec. 4. That the said corporation shall have power to make and alter from time to time such by-laws, rules, and regulations, not in conflict with the laws of the United States, as it may deem proper as to its members and their qualifications and rights and the manner in which they may act and vote by proxy or otherwise, and as to the titles, qualifications, and duties of its officers, directors, or trustees, and the times and manner of their election, and their terms of office, and as to the mode of acquiring and of losing membership in said corporation, and as to the mode of conducting and promoting the affairs and purposes of the said corporation, and as to all the matters within the objects hereinbefore stated.

Sec. 5. That the members of the corporation shall not be less than 5 in number and not more than 25, as may be prescribed by the by-laws of the corporation: *Provided*, That if and when the number of members shall be less than 5 the members remaining shall have power to add and shall add to their number until the number shall not be less than 5: *And provided*, That no act of the corporation shall be void because at the time such act shall be done the number of the members of the corporation shall be less than 5; that all the members of the corporation shall be its trustees; that no member of the said corporation shall, by reason of such membership or his trusteeship, be personally liable for any of its debts or obligations; that each member of the corporation shall hold his membership for a term of five years and until his successor shall be chosen: *Provided, however*, That the members shall be at all times divided into three classes, equal numerically as nearly as may be, and that the original members shall at their first meeting, or as soon thereafter as shall be convenient, be divided into three classes, the members of the first class to hold their membership and office until the expiration of one year, the members of the second class until the expiration of three years, and the members of the third class until the expiration of five years from the 30th day of June next after the enactment of this law, and that in every case the member shall hold office after the expiration of his term until his successor shall be chosen: *And provided further*, That in case any member shall, by death, resignation, incapacity to act, or otherwise, cease to be a member during his term, his successor may be chosen to serve for the remainder of such term and until his successor shall be chosen.

Sec. 6. That the said corporation may take or receive, whether by gift, grant, devise, bequest, or purchase, any real or personal estate, and to hold, grant, convey, hire, or lease the same, for the purposes of its incorporation, and to accept and administer any trust of real or personal estate for any purpose within the objects of the incorporation.

Sec. 7. That the said corporation may have and use a common seal and alter and change the same at its pleasure.

Sec. 8. That the principal office of the said corporation shall be in the District of Columbia, but offices may be maintained, and meetings of the corporation, the trustees, and committees may be held in such other places as the by-laws may from time to time designate.

Sec. 9. That this charter shall be subject to alteration, amendment, or repeal at the pleasure of the Congress of the United States.

The PRESIDENT pro tempore. Is there objection to the consideration of the bill?

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CULLOM:

A bill (S. 10576) granting an increase of pension to Hamilton Lutes (with accompanying papers); to the Committee on Pensions.

By Mr. SWANSON:

A bill (S. 10577) for the relief of the Southern Railway Co. (with accompanying papers); to the Committee on Claims.

By Mr. BEVERIDGE:

A bill (S. 10578) granting an increase of pension to Francis M. Dunnington;

A bill (S. 10579) granting an increase of pension to Elizabeth R. Bringham; and

A bill (S. 10580) granting an increase of pension to John Martindale; to the Committee on Pensions.

By Mr. KEAN:

A bill (S. 10581) conferring jurisdiction on the Court of Claims to try, adjudicate, and determine the claim of Col. Theodore T. S. Laidley, United States Army, retired; to the Committee on Claims.

By Mr. McCUMBER:

A bill (S. 10582) to amend an act entitled "An act granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico;" to the Committee on Pensions.

By Mr. GALLINGER:

A bill (S. 10583) to amend the charter of the Firemen's Insurance Co. of Washington and Georgetown, in the District of Columbia; to the Committee on the District of Columbia.

A bill (S. 10584) to provide for the extension of Buchanan Street NW., between Piney Branch Road and Sixteenth Street, and the abandonment of Piney Branch Road between Allison Street and Buchanan Street NW., District of Columbia (with accompanying papers); to the Committee on the District of Columbia.

By Mr. WARNER:

A bill (S. 10585) providing for the purchase of a site in the District of Columbia, the erection of a pedestal, and the placing thereon of a suitable equestrian statue in honor of Maj. Gen. George Gordon Meade; to the Committee on the Library.

By Mr. CLAPP:

A bill (S. 10586) to authorize the Chicago Great Western Railroad Co., a corporation, to construct a bridge across the Mississippi River at St. Paul, Minn. (with accompanying paper); to the Committee on Commerce.

By Mr. SMOOT:

A bill (S. 10587) granting an increase of pension to James H. Thompson (with accompanying papers); and

A bill (S. 10588) granting an increase of pension to John A. West (with accompanying paper); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 10589) for the relief of Capt. John J. Clark (with accompanying paper); to the Committee on Claims.

By Mr. GUGGENHEIM:

A bill (S. 10590) to authorize the construction, maintenance, and operation of a dam across the Colorado River, and for other purposes; to the Committee on Irrigation and Reclamation of Arid Lands.

A bill (S. 10591) to grant certain lands to the city of Trinidad, Colo. (with accompanying papers); to the Committee on Public Lands.

By Mr. SMITH of Michigan:

A bill (S. 10592) granting an increase of pension to Joseph H. Graham; and

A bill (S. 10593) granting a pension to Susan M. Summer; to the Committee on Pensions.

By Mr. STONE:

A bill (S. 10594) to authorize S. G. Guerrier, of Atchison, Kans., to construct a bridge across the Missouri River near the city of Atchison, Kans.; to the Committee on Commerce.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. BURKETT submitted an amendment providing that hereafter librarians in the public schools of the District of Columbia are made eligible to classes 4 and 5, etc., intended to be proposed by him to the District of Columbia appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

Mr. McCUMBER submitted an amendment relative to the retirement of the five medical officers of the Army who served creditably as contract or acting assistant surgeons in or with the Army during the Civil War prior to April 9, 1865, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

Mr. MARTIN submitted an amendment proposing to appropriate \$25,500 for macadamizing the Georgetown and Alexandria Road along the eastern boundary of the Arlington National Cemetery, etc., intended to be proposed by him to the Army appropriation bill, which was ordered to be printed, and, with the accompanying paper, referred to the Committee on Military Affairs.

He also submitted an amendment proposing to appropriate \$75,000 for the construction of a public road from a point near the southern end of the new Highway Bridge across the Potomac River to a point on or near the southern boundary line of the Arlington reservation, etc., intended to be proposed by him to the Army appropriation bill, which was referred to the Committee on Military Affairs and ordered to be printed.

PENSIONS TO SURVIVORS OF THE MEXICAN AND CIVIL WARS.

Mr. BEVERIDGE. I submit an amendment intended to be proposed to House bill 29346 granting pensions to certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico. The amendment is in conformity with the platforms of both political parties in my own and in many other States. I move that the amendment be printed and referred to the Committee on Pensions.

The motion was agreed to.

Mr. BRISTOW submitted an amendment intended to be proposed by him to the bill (H. R. 29346) granting pensions to

certain enlisted men, soldiers and officers, who served in the Civil War and the War with Mexico, which was referred to the Committee on Pensions and ordered to be printed.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. FRYE. I ask the Senate to proceed to the consideration of House bill 28632, appropriating money for rivers and harbors.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 28632) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which had been reported from the Committee on Commerce with amendments.

Mr. FRYE. I ask that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments shall first receive consideration.

The PRESIDING OFFICER (Mr. KEAN in the chair). Is there objection? The Chair hears none. The Secretary will proceed to read the bill.

The Secretary proceeded to read the bill. The first amendment of the Committee on Commerce was, on page 2, after line 10, to insert:

Improving Exeter River, N. H.: Completing improvement in accordance with the report submitted in House Document No. 1090, Sixty-first Congress, third session, \$9,200.

The amendment was agreed to.

The next amendment was, on page 4, after line 13, to insert:

Improving Connecticut River, Conn., below Hartford, in accordance with the report submitted in House Document No. 1294, Sixty-first Congress, third session, \$77,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$100,000, exclusive of the amount herein appropriated.

The amendment was agreed to.

The next amendment was, on page 6, after line 5, to insert:

Improving harbor at Buffalo, N. Y.: The Secretary of War is hereby authorized to apply from appropriations heretofore made for repairing and rebuilding breakwaters and for maintenance of structures \$15,000, or so much thereof as may be necessary, to the completion of the Stony Point Breakwater.

The amendment was agreed to.

The next amendment was, on page 12, after line 3, to insert:

Improving Potomac River at Alexandria, Va.: Completing improvement, \$50,000.

The amendment was agreed to.

The next amendment was, on page 15, line 9, before the word "thousand," to strike out "thirty-five" and insert "sixty," so as to make the clause read:

Improving harbor at Brunswick, Ga.: Continuing improvement and for maintenance, \$60,000.

The amendment was agreed to.

The next amendment was, on page 18, line 6, after the word "dollars," to insert:

Provided, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$500,000, exclusive of the amounts herein and heretofore appropriated.

So as to make the clause read:

Improving St. Johns River, Fla.: Continuing improvement from Jacksonville to the ocean, \$425,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$500,000, exclusive of the amounts herein and heretofore appropriated; continuing improvement from Palatka to Lake Harney, \$30,000.

The amendment was agreed to.

The next amendment was, on page 19, after line 18, to insert:

The Secretary of War is hereby authorized and empowered to enter into contract with the Ragland Water Power Co., hereinafter designated "the contracting party," to complete the dam which has been partially constructed by the Government at said Lock No. 4 on the Coosa River, the work to be done under his supervision and control, and in accordance with the present adopted project and any modification thereof that he may deem proper: *Provided*, That the contracting party shall furnish all materials, of every character, and pay for all labor required in the construction of said dam, which, upon completion, shall become the property of the United States, free of all costs, claims, or charges of any kind whatsoever: *Provided further*, That the terms of this act and any stipulation which the Secretary of War may deem necessary to safeguard the interests of navigation and other interests of the United States shall be embodied in any contract entered into as aforesaid. The contracting party shall begin the said work within two years from the approval of this act, and shall complete the same within four years from the date of commencing construction, and the Secretary of War may, upon reasonable diligence of the contracting party being shown, extend the time for completion, the Government reserving the right to commence and finish the work, if deemed advisable, at any time before it is commenced by the contracting party; or, if begun and not carried out in strict conformity to the directions of the Secretary of War, the Government may assume the completion of said work at its option, the cost of such completion to be paid by the contracting party: *Provided*, That the Secretary of War shall de-

termine from time to time whether the work is being properly done. In consideration of the completion of said dam free of cost to the Government, the contracting party is hereby granted such rights as the Government possesses to use the water power produced by said dam for manufacturing and other industrial purposes for a period of 99 years: *Provided*, That the plans for the necessary works and structures to utilize said water power shall be approved by the Secretary of War: *Provided further*, That the right is reserved to the United States to construct, maintain, and operate a forebay and lock for navigation purposes in connection with said dam, and nothing shall be done in the use of the water from said dam or otherwise to interfere with or in any way impede or retard the operation of said lock or the proper and complete navigation of the river at all times, nor in any way to interfere with the use and control of the same by the United States or the maintenance of the water surface above the dam at the established pool level; and the Secretary of War is hereby authorized to prescribe regulations to govern the use of the said water power and the operations of the plant and force employed in connection therewith; and no claim shall be made against the United States for any failure of water power, resulting from any cause whatsoever: *Provided further*, That the contracting party shall furnish to the United States, free of cost, such electric current as may be necessary for operating the Government lock, in case the same shall be built, and lighting its buildings and grounds: *And provided further*, That the contracting party may have ingress and egress over Government lands in the construction and operation of the plant. The Secretary of War may require the contracting party to execute a bond, with proper securities, before the commencement of the work, in such amount as he may consider necessary to insure the beginning, prosecution, and completion of the work and compliance with the terms and requirements of this act, and in case of failure to comply with the requirements of said bond, the contracting party shall forfeit to the United States the full amount thereof: *Provided*, That a suitable force of inspectors shall be employed on the work by the Secretary of War, at the expense of the United States, to see that the plans and specifications and the terms and requirements of the act and the conditions of the contract are strictly carried out, and any expense incurred by the United States in maintaining said inspectors shall be paid from any funds available pertaining to the appropriation made by Congress for examinations, surveys, and contingencies of rivers and harbors. Congress reserves the right to revoke the rights and privileges conferred by this act, but in the event of such revocation, the United States shall pay to the contracting party, as full compensation, the reasonable value, exclusive of any franchise that may be acquired under this act, of all properties erected and lands purchased by them necessary for the enjoyment of the benefits hereby conferred, such value to be determined by mutual agreement of the Secretary of War and the owners of said properties, and in case they can not agree, then by proceedings in condemnation to be instituted in the proper United States court: *Provided*, That to insure the compliance with the terms of this contract, or to protect the interests of navigation and other interests of the United States, the Secretary of War shall have power, at any time before or after the completion of the work, to order a suspension of all privileges granted by this act, and a compliance with such order may be enforced by an injunction of the court of the United States exercising jurisdiction in the district in which the work is situated, and proper proceedings to this end shall be instituted by the Attorney General, upon request of the Secretary of War. Nothing in this act shall be construed as in any way abridging the exclusive jurisdiction and control by the United States of the Coosa River, and of any structure therein, or as repealing or modifying any of the provisions or laws now existing for the protection of navigation.

The contracting party in consideration of the privileges granted hereby must, under such regulations as the Secretary of War may require, obligate and bind themselves to raise the height of said dam at Lock No. 4 3 feet, and shall stop the leaks above Dam No. 4 by which water escapes under such dam, so far as the same can be done, and to keep said leaks stopped so far as it is possible to do so. In consideration of making said improvements, the said contracting party shall have the right to raise said dam during low water to such a height as may be necessary to give it a storage basin above the dam, in order that they may develop and operate a water power: *Provided*, That the said storage does not interfere with navigation: *And provided further*, That the said contracting party shall pay all damage incurred by reason of overflowed lands. Beginning with the year 1925, the contracting party shall pay for the power due to the natural flowage of the river the sum of \$1 per 10-hour horsepower per year: *And provided further*, That in case the natural flowage of the river is increased at this point by storage reservoirs above this point, the power company shall have the right to lease, for a period of 99 years, the increased power due to said storage, and shall pay on all power above that due to natural flowage of the river, as increased by local storage at Dam No. 4, the sum of \$1 for five years, \$2 for five years, and thereafter \$3 per year for each 10-hour horsepower sold, or in lieu of above payment may pay its equitable share toward construction of said reservoir or reservoirs.

The amendment was agreed to.

The next amendment was, on page 25, line 7, after the words "Ship Island Pass," to strike out "\$40,000. The U. S. dredge *Barnard*" and insert "\$100,000, of which amount \$60,000, or so much thereof as may be necessary, may be expended for the repair and modification of the U. S. dredge *Barnard*, which," so as to make the clause read:

Improving harbor at Gulfport, Miss.: For maintenance of improvement of anchorage basin at Gulfport and channel therefrom to the anchorage or roadstead at Ship Island, and for the improvement and maintenance of channel at Ship Island Pass, \$100,000, of which amount \$60,000, or so much thereof as may be necessary, may be expended for the repair and modification of the U. S. dredge *Barnard*, which is hereby transferred and assigned to Gulfport Harbor and Channel for use and to be operated in accordance with the provisions and recommendations contained in the report printed in Rivers and Harbors Committee Document No. 2, Sixtieth Congress, first session.

The amendment was agreed to.

The next amendment was, on page 26, after line 8, to insert:

Inland waterway between Franklin and Mermentau, La.: To insure the selection of the most suitable route for the inland waterway chan-

nel from Franklin to Mermonteau adopted by Congress in the river and harbor act of March 2, 1907, the Secretary of War is hereby authorized, on the recommendation of the Chief of Engineers, to make such changes in the location of said channel as may be considered desirable: *Provided*, That no change shall be made under this authorization unless the necessary right of way is secured to the United States free of cost.

The amendment was agreed to.

The next amendment was, on page 27, after line 7, to insert:

For the construction of a deep-water harbor or port within the entrance to Aransas Pass, at Harbor Island, Tex., in accordance with the report submitted in House Document No. 1904, Sixty-first Congress, third session, \$125,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law not to exceed in the aggregate \$250,000, exclusive of the amounts herein and heretofore appropriated: *Provided further*, That a satisfactory right of way be furnished the United States free of cost: *And provided further*, That the State of Texas, through its proper officers, shall satisfy the Secretary of War that the interests of the general public are duly protected and that no terminal monopoly will be possible.

The amendment was agreed to.

The next amendment was, on page 28, after line 21, to insert:

Improving the Sabine-Neches Canal, Texas, from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, to a navigable depth of 25 feet, in accordance with plan No. 4, submitted in House Document No. 1290, Sixty-first Congress, third session, as follows:

For sections "a" and "c" from Port Arthur Ship Canal to mouth of Neches River and from mouth of Neches River to Beaumont, \$150,000; and the Secretary of War may enter into contract or contracts for such materials and work as may be necessary to complete said sections to an amount not exceeding \$706,000, exclusive of the amount herein appropriated, of which amount not exceeding \$278,000 shall be paid from appropriations to be hereafter made by law and the remainder from funds contributed by the Beaumont navigation district or other local interests: *Provided*, That no part of these amounts shall be expended and no contract shall be entered into until the Beaumont navigation district, a local organization created and existing under and by virtue of the laws of the State of Texas, or other local interests, shall have placed in some United States depository, to be selected by the Secretary of War, the sum of \$428,000 to the credit of the Secretary of War, to be expended by him in equal amounts with moneys provided by the United States in prosecuting this work: *Provided further*, That said Beaumont navigation district or other local interests shall become bound, in manner satisfactory to the Secretary of War, to maintain said channel free of cost to the United States for a term of three years after the completion thereof, and to provide for the operation and maintenance of the guard lock without cost to the United States until otherwise provided by law, all in accordance with the recommendations in the report cited above: *Provided further*, That the Secretary of War may enter into contract for work on sections "a" and "c", at any time after the local interests have provided the moneys as above specified, independent of and without reference to section "b."

For section "b," \$50,000; and the Secretary of War may enter into contract or contracts for such materials and work as may be necessary to complete said section to an amount not exceeding \$237,000, exclusive of the amount herein appropriated, of which amount not exceeding \$93,500 shall be paid from appropriations to be hereafter made by law and the remainder from funds contributed by the Orange navigation district or other local interests: *Provided*, That no part of these amounts shall be expended and no contract shall be entered into until the Orange navigation district or other local interests shall have placed in some United States depository, to be selected by the Secretary of War, the sum of \$143,500 to the credit of the Secretary of War, to be expended by him in equal amounts with moneys provided by the United States in prosecuting this work: *Provided further*, That said Orange navigation district or other local interests shall become bound, in manner satisfactory to the Secretary of War, to maintain said channel free of cost to the United States for a term of three years, all in accordance with the recommendations in the report cited above.

Mr. BURTON. Mr. President, I desire to oppose this amendment, and in the same connection to offer some general criticisms upon the pending bill, and to call particular attention to two Senate amendments. This bill is far less objectionable than the act of last year, in approving which the President transmitted to Congress a memorandum of objections based upon divers specific provisions and criticising the general policy exemplified by it.

The present measure, however, unlike that of a year ago, does not include a large number of provisions for extensive improvements in which a mere fraction of the amount required is appropriated. The objections to that method are perfectly obvious. In the first place, where improvements costing millions of dollars receive appropriations of a few hundred thousand, there is no ground for expectation of completed results. In the next place, it is very easy to make these partial appropriations for great projects without a sufficient amount of deliberation upon the importance of the project which is adopted.

I regard this pending amendment as especially objectionable. Its purpose is to make seaports of two towns well in the interior, which must be reached partly by canals, artificially constructed, and partly by the improvement of rivers unfit for ocean navigation. When the two towns of Orange and Beaumont are finally reached as a result of these improvements, there is sure to be insufficient room for anchorage purposes.

There is another objection to each of these projects. We already have an expensive improvement, costing \$4,000,000, below

this projected improvement at Sabine Pass and Port Arthur. There has already been expended on those two improvements the sum of \$4,000,000. In a report filed by the Engineer Department last year it appeared that in order to obtain a suitable channel 25 feet in depth to Sabine Pass and Port Arthur an expenditure of \$2,300,000 would be required, a part of this to repair and strengthen jetties extending 4 miles out into the Gulf, and a part for the improvement of the channel from the mouth of the Pass to Port Arthur.

What is the policy displayed in this bill? It apparently is to neglect those seaports now accommodating a large traffic with channels and means of approach that are entirely inadequate; it is to leave them with channels scarcely 25 feet in depth, while going into the interior up natural or artificial channels 26 miles to Orange and 36 miles to Beaumont in the vain endeavor to secure ports at those two points. Every principle of business-like policy, every idea of thoroughness would demand that the ports already in use be raised to a reasonable stage of efficiency before we seek to extend these improvements farther into the interior.

I object again to the precedent established by this amendment. It means that wherever there is a stream flowing into the Gulf or into the ocean the Government must undertake the task of providing deep water for ocean-going ships to some interior point. Except for one or two experiments tried in this very locality, except for a channel 5½ miles in length to Houston and one some 12 or 15 miles in length to Port Arthur, such an experiment is without precedent in the ports of the world. If we carry deep water to Beaumont and Orange, part of the way by an artificial channel, we ought also to do the same for Maine and carry deep water up the Penobscot to Bangor and up the Kennebec to Augusta. Passing on to Connecticut we ought to carry deep water up the Connecticut River about 50 miles to Hartford, and so all along the line, possibly carrying a channel for ocean-going ships up to Fayetteville, on the Cape Fear River in North Carolina, and up the Santee and its branch, the Congaree, to Columbia, in South Carolina. The plain fact is that it is utterly impracticable to make a convenient and useful port of an inland point of this nature.

Again, let us consider the question as it is presented to us by the engineers. They reported, at first, that a channel 100 feet in width could be obtained through the artificial portions at an expense of \$1,845,000, but they advised very strongly against any such attempt being made. A measure somewhat similar to this was added to the river and harbor bill by a Senate amendment last year, and in conference a compromise was reached providing for a further examination.

I wish to read the provisions of that compromise:

The Secretary of War shall appoint a board of engineers to reconsider the project submitted in House Document No. 836, Sixty-first Congress, second session, for the improvement of the Sabine-Neches Canal from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, to a navigable depth of 25 feet, including a guard lock, and report to Congress on or before December 1, 1910, upon the dimensions and cost of the minimum improvement of the locality which will adequately serve the interests of commerce and the amounts which the United States and the local interests, respectively, should contribute toward the cost of such adequate improvement and toward its maintenance after completion. In view of the fact that more extensive cooperation on the part of the local interests in construction and for maintenance is now proposed than was considered in the report heretofore submitted, the board is especially directed to confer with the representatives of such local interests and to submit with its report, for the consideration of Congress, any proposition or propositions for local cooperation that may be presented: *Provided*, That the expenses of the board herein authorized shall be paid from the appropriation for examinations, surveys, and contingencies of rivers and harbors.

This provision was inserted after an adverse report had previously been made by the Army engineers. I submit that this action was hardly fair to the corps of engineers. It was a decided intimation to them that their report previously made upon the project did not meet with the approval of Congress, and that in the next report to be made under this provision a favorable recommendation should be rendered. It eliminated the question of whether the project was desirable or not. The engineers were not to report upon that. Notwithstanding this intimation, amounting to a demand that a favorable report be transmitted to Congress on this project, Gen. Bixby, Chief of Engineers, in his report says:

Although liberal cooperation by local interests, such as is offered in the present case, must be considered as a strong argument in favor of undertaking new improvements, I am constrained to state that, in view of the limited facilities which will be afforded by the improvements as proposed and the necessity for their ultimate enlargement if they are to serve efficiently a large commerce, it is my opinion that the improvement of the Sabine-Neches Canal from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange to a navigable depth of 25 feet at an initial cost to the Government of \$571,500 and \$50,000 annually for maintenance after the expiration of three

years, in the manner described in plan 4 of the special board, is not at the present time necessary in the interest of navigation, and that the expenditure is justifiable only if Congress considers it wise to undertake the improvement in order to bring about more promptly the desired reduction of freight rates.

Three arguments are made for this improvement. The first is that the localities interested are to cooperate with the Federal Government. Mr. President, no one will more cordially recognize offers of cooperation by communities than I, but there is always this danger, that when a city or locality proposes to share in the expense Congress will be induced to adopt projects which otherwise would not be adopted at all. This project comes here in a very pleasing guise, because the communities offer to contribute \$571,500. But that should not make us overlook the manifest, yes, the vital objections to this proposition.

Another argument in support of this item is that there are storms along the coast of the Gulf of Mexico, and that it is desirable that provision should be made so that vessels with traffic may reach and anchor at points in the interior. Mr. President, we have already answered that argument by taking over the Port Arthur Canal and making due provision for a port 10 miles in the interior, away from the cyclones of the Gulf.

Again, that argument has little validity, because if the traffic of the Gulf ports is to maintain its present prosperity and to increase, as it doubtless will, it is necessary in some of the most important locations to provide facilities for and depend upon shipments consigned to the very edge of the Gulf.

But in this case the answer is conclusive. If a port 10 miles in the interior will not protect against storms and gales, one 26 or 30 miles farther in the interior will all the more fail to give the adequate protection.

The real argument which seems to have been given here, however, is that there is a differential in freight rates in the State of Texas which would favor these cities of Beaumont and Orange if they became seaports.

Mr. President, it is with the utmost hesitancy that I criticize any adjustment of rates made by any State railway commission, but it is obvious that the conditions arising from the enforcement of certain differentials there are unnatural. From a point in the interior the rates to Beaumont and Orange were formerly 49 cents per 100 pounds; to Sabine or Port Arthur, where those shipments could be loaded upon boats, 55 cents per 100 pounds. I believe those figures have been lessened, perhaps to 35 and 41 or 39 and 45 cents.

In the first place, let us consider some illustrations of this system. From a point 700 miles in the interior the rate to Beaumont or Orange would be 49 cents, but to carry that same shipment some 30 miles farther to Port Arthur the rate would be 55 cents. In other words, the shipment of freight is brought within 30 miles—

Mr. BAILEY. Will the Senator from Ohio yield to me?

Mr. BURTON. In just one moment. And then for carrying it the remaining 30 miles a charge is made altogether out of proportion to the general mileage rate.

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Texas?

Mr. BURTON. I would like to ask the Senator from Texas a question, in the first instance. I am not sure of the figure that has recently been adopted by the Texas Railroad Commission. What is it?

Mr. BAILEY. Without intending to be impolite to the Senator, I do not think that is any of the Senate's business. My purpose in rising was to ask the Senator from Ohio if the State of Texas, either through its commission or otherwise, can control the rates on commodities taken up outside of the State and brought into it or through it. The Senator recognizes that our State can not do that.

Mr. BURTON. This, however, is an intrastate rate.

Mr. BAILEY. We know the State can not control the interstate rate. Then I respectfully submit that it is none of Ohio's business what Texas does with matters which concern only her own people.

Mr. BURTON. Mr. President, it may not be Ohio's business, but it is the business of Congress. The argument ought not to be made here that we enter upon an impossible scheme for developing a port merely to cure an abnormal adjustment of railroad rates, whether they are enforced by the State of Texas or by a railroad commission or by any other agency.

Look at it: They carry freight 700 miles for 39 or 40 cents, and then to carry it 30 miles farther to a shipping port they charge an additional 6 cents, which is altogether out of proportion to the general rate.

Let us consider what was done by the Texas railroad commission. In the year 1907 the request was made of Congress that a port be established at Port Bolivar just across the bay from Galveston. The argument was advanced very earnestly,

and I have no doubt very sincerely, that there was a differential in favor of Port Bolivar in railroad rates of about 6 cents, and that by improving that port the price obtained for commodities in the State of Texas would be higher. Partially yielding to this argument an amendment was added to the bill by the Senate providing for the improvement of the harbor at Port Bolivar. What did the Texas railroad commission do? Just as soon as there was deep water at Port Bolivar it raised the rate to the figure in force at Galveston, doing away with all the advantage that had been secured.

The question here presented is, are we, for the sake of adjusting rates, to enter upon this expensive experiment—and the term "experiment" flatters the project—when there are so many other weapons in the armory of the law that are amply sufficient to remedy such a situation? Such was the argument in favor of this port. Without it I do not think the proposition would merit serious consideration for one minute.

I submit, Mr. President, that it was hardly fair to the engineers to ask them to bring in a report upon this project under such conditions. The general rule—yes, the invariable rule—is to ask their opinion as to the feasibility and desirability of a project. But in this case that idea was excluded. A local board of five engineers examined the proposed waterway and naturally reported as they did, for they were commanded to stifle their own judgment. They were virtually required to submit a report and express sentiments favorable to the plan. The board of review in going over it, however, did not coincide with them in that favorable opinion. The Chief of Engineers, as seen in the passage I have read, did not concur in that favorable opinion.

Mr. President, in all our legislation we should be guided by two general principles, fairness and equality. That of equality we entirely ignore if we accept this proposition, because it comes to us without the recommendations of the engineers, which we rigidly require in every case. It is also contrary to the recommendation of the President in the memorandum which he submitted to us last year; it is contrary to every principle of equality between localities and between Members of the House and Senate.

But let us face this proposition as it is. Five hundred and seventy-one thousand five hundred dollars to be contributed by the locality, together with an equal amount to be contributed by the Federal Government, will construct a channel 25 feet in depth. The original report estimated the cost at \$1,845,000. What is the difference between the two projects? The first contemplated an artificial channel 100 feet in width. But they said down in the locality, "Oh, we can get along with less than that," and so in a canal of considerable length a revised plan was evolved for a channel 80 feet in width. Now, fancy what kind of a canal that is for an ocean-going boat!

Only 80 feet wide where there is no natural flow of water! Even under the original project the engineers stated that boats three or four hundred feet long, the minimum length for boats which could carry freight at an economical rate, could not move except with great difficulty.

Now, the proposition is to construct a channel 80 feet in width. What does that mean? That this is the mere beginning of appropriations which we shall be asked to make, and in the future in all those appropriations and in all expenses incurred in connection with this channel the locality will not participate, but the Federal Government must bear the whole burden.

Mr. President, I submit this provision here is an excrescence on the bill. I might read at length from reports of the Chief of Engineers and others, but I have stated the general facts with reference to it. With the consent of the Senate, I may add certain other selections from the reports. I will read a few briefly.

The PRESIDING OFFICER. The Chair hears no objection to the request of the Senator from Ohio.

Mr. BURTON. The report of the Chief of Engineers contains the following:

The board states that while it may be possible for vessels of moderate size to navigate slowly the smaller channel proposed, unless provision were made for the larger class of vessels it would be of little more value than the present barge canal, and at least three cut-offs in addition to those proposed by the district officer will be required.

The local engineer in the first report expressed the following view:

It is hard to find reasons to justify the construction of this deep-water channel by the Central Government when the fact as to whether the improvement will reduce freight rates or not rests entirely in the hands of a railroad commission organized under the laws of a smaller political unit of the General Government.

It is not believed that the improvement, although it means much to Beaumont and Orange, would be felt beyond a radius of 25 miles from these cities.

From this, and the fact that a deep channel should not be dredged without providing some means whereby the rice-growing industry can

be protected from the dangers of salt water, I can not recommend that this project be undertaken by the General Government, with or without assistance in a financial way from the cities of Beaumont and Orange, at the present time.

The board of reviews in the last report made the following statement:

If the work under consideration were certain to secure the expected benefits, and were the only way of bringing them about; and, furthermore, if Congress should decide that the improvement of a waterway is advisable when the main purpose is to reduce railroad rates, then the expense involved would appear to be justified. In view of all the circumstances, however, the board is of the opinion that the improvement of the Sabine-Neches Canal from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, to a navigable depth of 25 feet, including a guard lock, is not now necessary or advisable in the interests of navigation.

Should we in the face of such a warning as that and in view of the obvious fact that this is the mere beginning of what is bound to be an expensive improvement, undertake this very considerable expenditure and establish such a policy?

During the delivery of Mr. BURTON's speech,

The PRESIDING OFFICER. The Senator from Ohio will suspend while the Senate receives a message from the House of Representatives.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives by W. J. Browning, its Chief Clerk, announced that the House had passed the bill (S. 10304) to authorize the construction, maintenance, and operation of a bridge across the Tombigbee River near Iron Wood Bluff, Itawamba County, Miss.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 29360) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. GILLET, Mr. GRAFF, and Mr. LIVINGSTON managers at the conference on the part of the House.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 31856. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1912, and for other purposes; and

H. R. 32010. An act to create a tariff board.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills, and they were subsequently signed by the President pro tempore:

S. 10053. An act to extend the time within which the Baltimore & Washington Transit Co. of Maryland shall be required to put in operation its railway in the District of Columbia, under the provisions of an act of Congress approved June 8, 1896, as amended by an act of Congress approved May 29, 1908; and

S. 10099. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors.

TARIFF BOARD.

Mr. BEVERIDGE. Will the Senator from Ohio allow me?

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Indiana?

Mr. BURTON. Certainly.

Mr. BEVERIDGE. For just a moment. I wish to suggest, so as to call the matter to the attention of the Senate, that the House bill just sent to us establishing a tariff board shall continue, for the present, to lie on the President's table, subject to a motion for immediate consideration.

Mr. BAILEY. Mr. President, I demand the regular order, which is the speech of the Senator from Ohio.

Mr. BEVERIDGE. Who has yielded to me.

Mr. BAILEY. I demand the regular order, and against that demand the Senator from Ohio can not yield.

Mr. BEVERIDGE. I submit the question to the Chair.

The PRESIDING OFFICER. The Chair recognized the Senator from Indiana, but not for the purpose of interfering with the business of the Senate.

Mr. BEVERIDGE. Not at all. The Senator from Ohio has the floor.

Mr. BAILEY. I insist on the point of order that a Senator having the floor can only yield it with the consent of the Senate, and I insist upon the regular order.

The PRESIDING OFFICER. The Senator from Texas is right.

Mr. BEVERIDGE. If it should go to the committee—

Mr. BAILEY. It will go to the committee notwithstanding the request of the Senator from Indiana.

Mr. BEVERIDGE. I have no objection, if the Senate shall so order.

Mr. BAILEY. We will see.

The PRESIDING OFFICER. The Senator from Ohio has the floor and will proceed.

RIVER AND HARBOR APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 28632) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

After the conclusion of Mr. BURTON's speech,

Mr. BAILEY. Mr. President, it is not necessary to reply to the Senator from Ohio, for this is the same item to which he objected in the last Congress, and these are the same arguments which then failed to convince the Senate. There is this difference, however, that he then had adverse reports from the local engineer to the final reviewing board of engineers, which he employed with more effect before the conference committee than before the Senate.

Over my protest the Senate finally yielded to the amendment of the House striking out the provision that had been inserted by the Senate and substituting the provision to which the Senator from Ohio has referred. Under that provision and in pursuance of it the five engineers examined this project on the ground, and not only reported in favor of its feasibility, but also reported in favor of its desirability, and that ought to have ended the matter.

I maintain that under that provision of the last rivers and harbors act the board of review had no jurisdiction over this question. It is absurd to suppose that we appointed a special board to review a project which the General Board of Engineers had condemned and then authorized that General Board of Engineers to review the report of the special board of engineers. It would be a gross absurdity to create one board to review the report of another and then allow the other board to review and overrule the opinion of the board created to review its own report. The Congress of the United States has doubtless done some absurd things. I might even, if I were in a bad temper, say that it has done many absurd things, but I gravely doubt if it has ever intended to do anything so absurd as that.

Mr. President, the Senator from Ohio now seeks to impress the Senate with the idea that I am here advocating this measure as a means of regulating freight rates in the State of Texas. The Senator from Ohio has never heard me make any such argument on the floor of the Senate, or in committee room, or in private conversation—

Mr. BURTON. Will the Senator yield to an interruption?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. Certainly.

Mr. BURTON. The practically unanimous report from all the engineers who have passed upon the project is to the effect that the regulation of freight rates would be the only ground on which an argument could be based for this improvement.

Mr. BAILEY. In other words, Mr. President, it is the argument of the engineers which the Senator from Ohio attempts to answer instead of the argument of "the Senator from Texas."

Mr. BURTON. The Senator from Texas—

Mr. BAILEY. So long as I have the honor to represent that State upon this floor, I assume the responsibility of speaking for her in part, and I do not consider that the Senator from Ohio can answer the arguments, however poor they may be, which I submit to the Senate by replying to what has been said by the engineers.

Mr. BURTON. Will the Senator from Texas yield for a further interruption?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Ohio?

Mr. BAILEY. I do.

Mr. BURTON. In the very voluminous arguments made on behalf of this improvement, filed with the report, that same claim is made of the influence upon freight rates, and it assumes an importance greater than any other.

Mr. BAILEY. I have not made that argument, Mr. President, and I am not inclined to believe that the harbor improvements of this country are intended to influence freight rates; but, on the contrary, I have supposed all these years that they are intended to create commercial facilities which will enable our people to transact promptly and safely their business with the balance of the world. I understand, of course, that the argument in favor of certain river improvements is generally

based upon the effect which they exert over freight rates, but I had not heretofore supposed that this is true in the case of harbor improvements.

In the old days of the Republic, when great men gravely doubted the right and power of Congress to improve the rivers of the country, no man ever doubted the power of Congress to construct or improve our harbors. If I am not mistaken, Gen. Jackson, when President, once forced the Congress, either by an actual veto or by a threatened veto, to separate the river bill from the harbor bill, and he cheerfully approved the bill providing for the improvement of our harbors.

Whether the creation of this commercial facility will affect freight rates or not is, to my mind, not the important question here. The question here, and the only question here, is whether or not it is a facility demanded by the convenience of the people who seek the sea through the Gulf of Mexico. The engineers have not questioned the feasibility of this work, and they have based their adverse report solely upon the proposition that the commerce of that particular locality does not warrant the expenditure, which, permit me to say just here, is not nearly so large as the Senator from Ohio has indicated to the Senate, because, in his statement that it will cost more than \$2,000,000 he has included an expenditure on work which must be provided for whether this amendment remains in the bill or not. He has included expenditures on the work of the jetties, which, if this were torn from the bill and abandoned forever, must still be done, and which I take it, the Senator from Ohio desires to be done, because I did not fail to note his solicitude for another port in Texas as against Beaumont and Orange. As between Port Arthur and Beaumont, as between Sabine and Orange, I think the Senators from Texas may safely be left to choose. We represent all of them, and if we make a mistake in doing for one what ought to have been done for the other we are amenable to their power, but if the Senator from Ohio makes a mistake in that respect he is beyond their punishment.

I have never believed that Senators from other States should attempt to control matters of this kind within a State which they do not represent; and I do not base that opinion on what we commonly call the courtesy of the Senate. I believe that what is so often flippantly referred to as the courtesy of the Senate has an infinitely more substantial basis than a mere desire to be polite to our associates. It is based upon the fact—the important fact—that if a Senator from Ohio interferes in a matter local to Texas and decides that matter wrong, he is beyond the jurisdiction of the people of Texas, and it might happen that the more they disliked him the better his own constituents would be pleased with him. I do not say that such is the case as between Texas and Ohio, and I am glad to say that it is not; but we can recall a time in this country, still within the memory of living men, when Senators from certain States would ask no better testimonial of their fitness than the condemnation of the people of certain other States. Let us hope that such a time will never come again, but we must not forget that it existed within the memory of even the youngest Senator on this floor. On the other hand, if the Senator from Ohio abstains from all interference with matters local to Texas, and the Texas Senators decide them wrong, the people of that State have their recourse. It is in obedience to the great principle which holds the representative responsible to his constituents, and not merely as a matter of politeness, that the Senate, time out of mind, has permitted the Senators from every State to decide all questions local to the States which they represent. Therefore, if I delay the appropriations for Port Arthur and Sabine, to which the Senator from Ohio would consent, and I choose to struggle for the appropriations which I believe to be right and proper at Beaumont and Orange, he can well leave that for me to settle with my constituents.

The Senator from Ohio, I regret to say, has reechoed the insinuation against the wisdom and the fairness of our State railroad commission which is to be found in the Engineer's report of last year. I then resented that objectionable passage and characterized it as an impudent intrusion of their views upon a question not committed to them; but I would not use such harsh words to describe the reference which the Senator from Ohio has made, because, charged as he is with the duty of legislating on the subject, he doubtless feels that it is both his right and duty to discuss it even to the point of criticizing the tribunals of a State. In that view, however, he gravely errs, for as the railroad commission of Texas can control matters affecting only our own people, it does not lie in the mouth of men from other States to complain at its conduct so long as we are satisfied. Texas was the first State in this Union to create an efficient railroad commission and to clothe it with the ample power which it now possesses. Other States had created commissions of a kind before ours, but ours

was the first efficient one in the history of the American Republic. Although it was stubbornly resisted when the proposition was submitted to our people, it is now accepted as such a just and such a wise law that I doubt if a proposition to repeal it would receive the votes of 5 per cent of our people. Even the railroads themselves confess that it has remedied many of the abuses for which they claimed conditions more than themselves had been responsible; and, notwithstanding the angry controversy that raged about it for months and even for years, it has so vindicated the wisdom of its policy to the people of our State that we hear no criticism of it now. Not only are our people thoroughly satisfied with the law which created and controls their railroad commission, but, sir, they repose absolute confidence in the commissioners who execute that law; and I think it comes with bad grace from a Senator representing another State to stand on the floor of the Senate and find fault with its orders and decisions.

But, Mr. President, while I think the reference of the Senator from Ohio was an obvious impropriety, it was not so bad as the first report of the Board of Engineers, for when an arm of the executive department of this Government, in tendering its advice to Congress, proceeds to the extent of criticizing the operations of a State, they transcend all the rules of orderly procedure.

I probably ought not to say that the Board of Engineers is now an arm of the executive department. They have become not only the arm, but the body, brain, and soul of the legislative department with respect to these river and harbor appropriations; they drew this bill, and a Senator representing the greatest Commonwealth in this Union can not obtain a paltry appropriation for his State, no matter how small or how crying the need for it may be, unless he can secure the indorsement of the Army engineers. Think of it, Mr. President, that Senators and Representatives, speaking for their people, and commissioned to speak for them, must stand on the outside of a committee room, with their hats in their hands, while an Army engineer tells the committee what ought to be and what ought not to be allowed to the great States of this Union.

I see before me two distinguished Senators who have the good fortune to be members of the Committee on Commerce, and I know that they struggled, as I did, for an appropriation which no man in this Senate who knows either of them will deny they believed was proper, because they would not have asked for what they did not consider proper, and yet they struggled in vain there with their associates on the committee, the decree of the Army engineers overruling their appeal and outweighing the respect and confidence which every member of that committee reposes in their judgment and in their patriotism. All that yielded to the mere decree of a board of Army engineers.

I want, in passing, to warn Senators who are inclined to support a tariff commission bill to be admonished by their experience with this Board of Army Engineers. We began consulting them, first a little and then a little more and then a little more, until to-day I assert here on the floor of the Senate that not a Member of this body can obtain an appropriation of \$30,000 without the approval—of the committee? No. Of the Senate? No; but of a Board of Army Engineers, who, while undoubtedly well qualified to solve the engineering problems, are apt to know little about the commercial necessities of a State; and yet those men decide absolutely for both branches of Congress what appropriations shall be made for these States. We simply register their decrees; we simply record their will. It is true that we do not always get what they are willing for us to have, but it is likewise true that we never get what they are not willing for us to have. So it will be when a tariff commission is created. A board of experts, expending a half million dollars a year, traversing all lands, bringing back their particular and special information to the secrecy of their own board rooms, and then retailing it to the American Congress at its convenience, will ultimately, sir, control our tariff legislation. When you create such a board you abdicate your power to levy taxes, just as you have now abdicated your power to make river and harbor improvement appropriations. In the nature of things and according to the construction of the human mind, a board of experts will control a Congress of nonexperts. Perhaps there are some Members of the Congress who have not sufficient information to make a tariff bill, and I think it would be well if the people superseded them with other men who are equipped to do so; but, Mr. President, when we give up our own power to levy taxes upon the people of the United States, let us restore to the people the power to elect those who are really to regulate their taxes.

The Senator from Ohio has not answered the argument with which I have sought to justify the construction of an inland

harbor, not 36 miles from the deep water, as he suggests, but an inland harbor. Everybody familiar with the history of the Gulf of Mexico understands the danger in which every place along its coast perpetually stands. I doubt if there is another stream in all of this wide world whose coast is ravaged by storms of such destructive fury. Those storms are not merely along the coast of Texas; they are along the whole line of the Gulf. While I do not speak with absolute information on that point, I have been told that in one of the principal harbors of Mexico, when the storm rages the fiercest, great ships are compelled to stand out to the sea in order to keep from being dashed to pieces against the wharves. But whether that is true or not, I do not need to cite instance after instance to the Senate to teach it how furious those storms are on the Mexican Gulf.

I am persuaded myself, Mr. President, that the best and safest place upon which to establish these Gulf ports is as far to the inland as can conveniently be arranged. I would not discourage those who have the courage and the hardihood to live at the water's edge and brave the fury of the storm. I honor their perseverance and their attachment to their homes, and I shall rejoice to see their towns and cities grow and prosper. But, to say the least of it, it is a wise policy to make one or two experiments of an inland harbor, and thus demonstrate where the best safety lies. If those Gulf coast cities can all be saved from the ravages of the storm, then, of course, the very shore line is the best place for a port; but if we read the history of the last 50 years I think there will be few of us who will not recognize the wisdom, not to say the necessity, of experimenting with inland harbors. The expenditure is not great, and the people of the two counties particularly and locally interested are taxing themselves dollar for dollar of the amount they ask this great Government to spend.

The Senator from Ohio adverted in no complimentary way to the Houston ship channel or canal, and he would leave the Senate to infer that in his opinion that great work is a failure. As much as I respect his opinions on these questions, Mr. President, it is difficult to be entirely patient with him when he talks in such a strain. Against his theory and at this distance I oppose the opinions of hard-headed, practical, and successful business men who are on the ground. Very recently they held an election in Harris County to decide whether or not those people would contribute \$1,200,000 of their hard-earned money toward the enterprise which he stigmatizes with a sneer, and that intelligent, enterprising, and prosperous people voted by something over 7,000 as against something less than 600 to tax themselves and their posterity by the sale of bonds to contribute one-half of the money which this project requires.

Mr. President, Texas is practically the only State in this Union whose people have been compelled to tax themselves in order to defray the expenses of these public works; but we have done so cheerfully in more than one instance, and we are ready to do so now. The Senate might not believe with its knowledge of that situation that it is wise to spend a million and almost two hundred thousand dollars upon this work, but when Senators occupied with a thousand things, and unable to investigate this one, take the time to remember that the people who live there, and whose wealth is infinitesimal when compared with the wealth of this great country, are willing to tax themselves \$600,000 to pay one-half of these expenses, I think it is as little as we could do to accept their willingness to put their own money in the enterprise as sufficiently establishing the value and the necessity of it. Mr. President, in concluding, I will say to Senators from other States that Texas is merely the way by which they reach the markets of the world; and if they deny us sufficient harbor facilities, the injury extends far beyond our border, and that great western region, which has become the granary of the world, suffers as much as we do. It is not alone for us that I demand this additional facility, but it is in behalf of those who are welcome to our hospitable borders and who have created the necessity for new harbors by their generous use of our old ones.

The PRESIDING OFFICER. The question is on agreeing to the amendment. Without objection, the amendment is agreed to.

Mr. BURTON. I ask for a vote on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the committee.

The amendment was agreed to.

The Secretary resumed the reading of the bill on page 31, line 10.

The next amendment of the Committee on Commerce was, on page 31, after line 19, to insert:

Improving mouth of Brazos River, Tex.: Continuing improvement and maintenance, \$100,000.

The amendment was agreed to.

The next amendment was, at the top of page 32, to insert:

Improving Brazos River, Tex., from Old Washington to Waco: For the completion of lock and dam at Hidalgo Falls, \$50,000.

The amendment was agreed to.

The next amendment was, on page 32, line 6, after the word "dollars" to insert "for the construction of lock and dam at or about Pine Bluff, \$25,000," so as to make the clause read:

Improving Trinity River, Tex.: Continuing improvement and for maintenance by open-channel work, \$40,000; for the construction of lock and dam at or about Pine Bluff, \$25,000.

The amendment was agreed to.

The next amendment was, on page 32, after line 9, to insert:

The Secretary of War is hereby directed to cause a reexamination to be made of the Jefferson-Shreveport waterway, Texas and Louisiana, with a view to such modification as may be necessary or desirable in the project for its improvement by the construction of a dam at the foot of Caddo Lake, and to suspend work on said project until further action by Congress.

The amendment was agreed to.

The next amendment was, on page 33, after line 2, to insert:

Improving Ouachita River, Ark. and La.: Continuing improvement by removing snags, leaning trees, and other obstructions between Camden and Arkadelphia, in the State of Arkansas, \$7,500.

The amendment was agreed to.

OCEAN MAIL SERVICE AND PROMOTION OF COMMERCE.

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce."

Mr. GALLINGER. Mr. President, I offer the following for the consideration of the Senate.

The PRESIDING OFFICER. The Senator from New Hampshire offers the following, which will be read.

The Secretary read as follows:

That on Thursday, February 2, commencing at the hour of 2 o'clock, the Senate will vote upon all amendments pending or to be offered to the bill (S. 6708) to amend the act of March 3, 1891, entitled "An act to provide for ocean mail service between the United States and foreign ports and to promote commerce," and upon the bill itself, before adjournment on that day.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Hampshire? [After a pause.] The Chair hears none; and, without objection, it is agreed to.

Mr. GALLINGER. I ask unanimous consent that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from New Hampshire asks unanimous consent that the unfinished business be temporarily laid aside. Is there objection? The Chair hears none.

LEGISLATIVE, ETC., APPROPRIATION BILL.

The PRESIDING OFFICER laid before the Senate the action of the House of Representatives disagreeing to the amendments of the Senate to the bill (H. R. 29360) making appropriations for the legislative, executive, and judicial expenses of the Government for the fiscal year ending June 30, 1912, and for other purposes, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. WARREN. I move that the Senate insist upon its amendments, that the request of the House for a conference be granted, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. WARREN, Mr. BURKETT, and Mr. FOSTER conferees on the part of the Senate.

RIVERS AND HARBORS APPROPRIATION BILL.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 28632) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The reading of the bill was resumed on page 33, line 7.

The next amendment of the Committee on Commerce was, on page 36, after line 7, to insert:

Improving harbor at Arcadia, Mich.: For dredging and maintenance, \$10,000.

The amendment was agreed to.

The next amendment was, on page 36, line 16, before the word "harbor," to insert "inner and outer," so as to make the clause read:

Improving inner and outer harbor at Holland, Mich.: For maintenance, \$16,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 21, to insert: Improving Zippel Bay, Lake of the Woods, Minn.: Completing improvement in accordance with the report submitted in House Document No. 1276, Sixty-first Congress, third session, \$27,781.

The amendment was agreed to.

The next amendment was, on page 40, after line 2, to insert:

Improving Illinois and Mississippi Canal by raising Aqueduct 1, Lock 4, one highway bridge and approaches and the banks of the canal where the canal crosses East Bureau Creek, just below the Chicago, Rock Island & Pacific Railway bridge across the same stream, \$125,000.

The amendment was agreed to.

The next amendment was, on page 42, after line 2, to insert:

The Secretary of War is hereby authorized to permit such changes of harbor lines and diversion of the channel of the Mississippi River at St. Paul, Minn., as may be necessary to provide for the improvement of navigation, for suitable levees, transportation terminals, and landing places for shipping in said city.

Such changes and diversion shall be shown by plans and plats thereof, which shall be filed with and approved by the Secretary of War and the Chief of Engineers before any work shall be done thereon, and any change therefrom shall be unlawful unless a plan and plat thereof shall have been previously filed with and approved by the Secretary of War and Chief of Engineers, and there shall be submitted to Congress a survey and estimate of the amount, character, and cost of any work proper to be done by the United States in connection therewith, but neither this act nor any action taken thereunder by the Chief of Engineers and Secretary of War shall be construed as in any way committing the United States to any expense or obligation without direction by Congress.

As a condition thereof it shall be agreed by the said city of St. Paul as a part of said proposed plan that the said levees and landing places for shipping shall remain under the ownership or control of the said municipality unless otherwise authorized by Congress.

The amendment was agreed to.

The next amendment was, on page 43, after line 5, to insert:

Reservoirs at headwaters of Mississippi River: Completing construction of canal between Lake Winnibigoshish and Leech Lake, \$10,000.

The amendment was agreed to.

The next amendment was, on page 43, after line 8, to insert:

Improving Missouri River, with a view to securing a permanent 6-foot channel between Kansas City and the mouth of the river: The Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$600,000, exclusive of the amounts heretofore appropriated.

Mr. BURTON. Mr. President, I am not sure that I shall vote against this amendment, but it seems to me desirable to present at this time some considerations pertaining partly to this specific matter and partly to the general subject of the development of inland navigation.

First, however, I wish to express my emphatic dissent from the view expressed by the Senator from Texas in regard to legislation for river and harbor improvements. His argument is that those questions belong exclusively to the State in which they are located. They do not, Mr. President. In the first place, there is not a harbor in the State of Texas which does not have railway lines radiating out for hundreds and even thousands of miles into other States. So it is a question not of any county seat or of any particular city, but of the whole area tributary to a port, and it is for Congress to decide what is the best port to select in Texas, Louisiana, or any other State, for the reason especially, Mr. President, that these improvements are not local. They are national. If they are local, let the States in question take care of them themselves, but if they come here to Congress and ask for appropriations it can only be on the ground that the expenditure of money for the development of the port or river is a matter of national concern. I dissent most decidedly from the idea that no Senator from another State has a right to criticize a proposed expenditure that may prove futile or develop into a blunder. If they are going to claim the right to determine themselves where harbors are to be improved, then let the localities do the work and provide the money.

I can not forbear to mention some considerations of public policy in this connection. No one is more thoroughly aware than I am of the criticism, the obloquy, that is visited upon any Member of the House of Representatives or of the Senate when he opposes a projected river and harbor improvement in the respective States of the Union. The people in these localities are always unanimous for the expenditure of money in their neighborhood. Even if it meant the mere digging of holes in the ground, if it meant the construction of useless masonry, they are confident that money would be placed in circulation among them, and therefore there would be a unanimous voice—perhaps a very loud outcry—for appropriations. But it is for Congress, with all its Members, to scrutinize the claims of the different localities and determine whether they are wise and whether they will bear the test of national standards. So long as I continue a Member of the Senate, whether it be in the face of adverse votes or not, whether it incurs criticism or not,

I shall stand for the idea that it is the right of any Member on this floor to express his opinions in regard to any propositions which may be presented.

I desire to say, Mr. President, that in the development of our river and harbor policy, if I can see aright, the individual Member will count less, the whole body will count more, and the whole body will be more and more insistent for the advice and judgment of the Board of Engineers. If you leave this to individual claims, to the clamorous demands of communities, it means a carnival of loot and extravagance and the perpetration of monumental blunders.

I do not sympathize with the view that the Board of Engineers should limit their opinions to mere matters of engineering. Mr. President, if you look over the river and harbor acts of previous years you will find many items that were inserted injudiciously. You will find items carried to-day for improvements which never ought to have been inaugurated, and I say, without fear of contradiction, that whatever blunders were committed were initiated just about in proportion as the judgment of the engineers was disregarded. They have made blunders and mistakes, usually on the side of liberality rather than on the side of rejecting improvements, and their training gives them a facility and a right to speak upon the commercial phases of these questions.

Then again, as I stated once before on this floor, it is impossible to sever the connection between that which pertains to engineering and that which pertains to commercial development. There may be an improvement which if it cost only \$100,000 would be profitable and would show an adequate return in the development of commerce, but if that same improvement cost a million dollars it would not be judicious to undertake it. So how under any well-defined system can you separate the two?

Mr. President, I trust we shall not yield to arguments of this nature, that it is the locality that must decide. I feel assured that if we should do so the plan of determining this whole matter would shortly have to be left to commissions or probably to executive departments of the Government, because in a very few years the mistakes made under even the best system of legislation would be so glaring that an absolute change of policy would be necessary.

We are not in error when adhering to the rule that improvements should not be commenced without the recommendation of the Board of Engineers. There is no country in the world that has a system of river and harbor improvements which does not depend upon its technical department to point out that which is desirable. The best means of communication between different localities, the depth, the probable commercial development upon rivers and canals, is all referred to an expert department in the Republic of France; the same is true in Germany and everywhere else where a wise policy is adopted.

As regards the proposed improvement here, Mr. President, I think the first thing we ought to decide is just what we are committing ourselves to do in this expenditure of \$600,000, coupled with an appropriation of a million dollars in a preceding bill. Without referring to any executive document or report, we are making these two appropriations, respectively, of \$1,000,000 and of \$600,000.

When the last bill was passed there was a report relating to the Missouri River, of the Sixtieth Congress, second session, designated as Document No. 1120. The survey was made in pursuance of a provision in the river and harbor act of March 2, 1907, in these words:

Missouri River from its mouth to Kansas City, and from Kansas City to Sioux City: *Provided*, That the Secretary of War may, in his discretion, cause to be made only such further general instrumental survey as may be deemed necessary.

The last clause of this provision is not important, except that it makes it discretionary to adopt measurements and surveys already made. This report is very voluminous. It reviews the commerce of the river for preceding years; it gives in detail the engineering conditions, the benefits to adjacent property, and so forth. In transmitting it Gen. Marshall, the Chief of Engineers of the United States Army, says, and I have to read from this at some length—

In his survey report of April 30, 1908, Capt. Schulz—

That is the local engineer—

gives a very comprehensive statement of the original condition of the Missouri River and the efforts hitherto put forth for its improvement, together with his views and recommendations for its further treatment. A careful résumé of his report is given in the report of the Board of Engineers for Rivers and Harbors, dated June 8, 1908, also herewith.

The actual navigable depth in the Missouri River below Sioux City is 3 feet at low water and 9 feet at high water. It appears from Capt. Schulz's report that by the means of snagging and the use of works of regulation and revetment a depth of 6 feet at low water can readily

be obtained, and by a more extensive use of the same means a depth of 10 and even 12 feet at that stage may be secured. The estimates submitted by him are as follows: For 6-foot depth (completion in three years), Sioux City to Kansas City, \$3,900,000.

It is not necessary for me to read the whole of it:

From Kansas City to the mouth, \$3,500,000.

The last figure is all that is pertinent in this discussion. The estimate submitted by him is as follows:

For a 6-foot depth (completion in three years):	
Kansas City to the mouth	\$3,500,000
For 12-foot depth (completion in five years):	
Sioux City to Kansas City	22,500,000
Kansas City to the mouth	20,000,000

So it appears that there were two plans for the improvement of this section of the Missouri River, one for 6 feet and one for 12 feet, the former costing \$3,500,000 and requiring in the estimate of the engineer three years, and the other for 12 feet, costing \$20,000,000, completion in five years.

In the opinion of Capt. Schulz, based upon the existing and immediately prospective commerce, no greater expenditure than that required for a 6-foot depth seems warranted at the present time.

The views and estimates of the district officer are approved by the division engineer, Col. William H. Bixby, Corps of Engineers, who considers as eminently desirable and justifiable the improvement of the Missouri River not only to the 6-foot stage, but especially to the 12-foot stage, all the way to Sioux City.

The rest of the report leaves this question to Congress as a matter of policy.

In the act of last year a provision was inserted appropriating \$1,000,000 with a view to securing—I believe the word “permanent” is there—a permanent 6-foot stage. I have not the act immediately at hand.

Mr. President, that left the action of Congress uncertain as to what was meant, whether it was the 6-foot channel, costing \$3,500,000, or the 12-foot channel, costing \$20,000,000. This question is a very important one. It is true the Board of Engineers for Rivers and Harbors, in reviewing the report, expressed a decided preference for the 12-foot stage, or rather for the permanent work, costing \$20,000,000. Nevertheless, inasmuch as the words “6-foot navigation” are employed, the presumption is that the lesser project, costing \$3,500,000, was meant.

In the discussion of the bill of last year I called attention to this uncertainty, and I wish to refer briefly to the debate on this subject. On the 19th of April, 1910, the rivers and harbors bill was under discussion and a question was asked by myself:

What do I understand the Senator from Missouri to advocate—this \$20,000,000 improvement or the \$3,000,000 improvement?

The general figures were given, \$3,000,000 instead of \$3,500,000.

Mr. WARNER. The Senator from Missouri advocates the three and one-half million dollar improvement, believing, with the engineers and practical rivermen, that that will give a permanent 6-foot channel the year round, and that that will be part of a permanent improvement which can be given a greater depth if necessary.

Mr. BURTON. That is the limit of the Senator's demands until it has been shown what can be done?

Mr. WARNER. That is the limit. The bill provides, as I remember, for a 6-foot channel.

Mr. STONE. On the contrary, if the Senator will permit me—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the senior Senator from Missouri?

Mr. BURTON. Certainly.

Mr. STONE. On the contrary, the bill provides for the \$20,000,000 improvement.

Mr. BURTON. Mr. President, I differ from the senior Senator from Missouri on that, and I will tell why in a few moments; but I think it is very desirable that the Senate should know just what is expected in connection with that improvement.

The balance of the dialogue I can give more clearly without following the text. However, before doing that I will refer to another conversation in which the senior Senator from Missouri [Mr. STONE] took part. It is found on page 5029 of the CONGRESSIONAL RECORD, April 18, 1910. In speaking of the proposed improvement he said:

The engineers of the Army have reported more than once that this improvement is the proper one to be made and that the river is one of the easiest rivers to be improved and controlled in the country. The last report is to this effect. The local engineer, Maj. Schulz, states that in his opinion upon the expenditure of \$3,000,000 a channel of 6 feet can be provided.

This will be necessarily somewhat temporary in its character. The project itself is for a 6-foot channel from Kansas City to the mouth. The expenditure of \$3,000,000, in the opinion of Maj. Schulz, the local engineer, would serve an immediate purpose of establishing that channel for a while.

The district engineer, Col. Bixby, did not concur in that view.

Then he goes on to state that he seemed to favor the \$20,000,000 improvement if the improvement was attempted. He further says:

The bill as it came over from the House did not, for some reason, contain the usual statement that this improvement is to be prosecuted according to a given report of the engineers, but the only report made is the one to which I have alluded, which was made a year ago, upon which the committee of the House and the committee of the Senate proceeded, providing for a 6-foot channel. If it can be done for \$3,000,000, or \$5,000,000, or \$20,000,000, the less the better, let it be done.

Then he closes by saying:

I will say to the Senator from Ohio, speaking for myself as one Senator on this floor—not particularly speaking for my own immediate constituency, but to this provision of the bill, and from my knowledge of the situation there—I am in favor of the construction of a channel of 6 feet from Kansas City to the mouth of the river, whether it costs \$3,000,000 or ultimately \$20,000,000, as the district engineer, the Board of Engineers, and the Chief of Engineers think it will.

Mr. President, it thus appears, both from the report of the Chief of Engineers in this document, which Congress had before it, and from the discussion on the floor of the Senate, that a measure of uncertainty pertains to this provision.

There is a cogent reason why it would appear that the larger project was not adopted. It has been the invariable custom in rivers and harbors bills, when a new improvement or a new method of prosecuting a work was desired, to refer to the executive document by number and to the Congress in which the report on which that improvement is based was made. An improvement was under way in the Missouri River. It is true it had been practically abandoned in 1902 and the river passed by so far as appropriations were concerned, but the work was resumed later, especially by the act of 1909. If, however, we follow what I think I may say is the invariable custom of Congress, whatever appropriation was made would be made for improvements then under way, and would refer to what had been done under previous projects rather than to this executive document. It is true the chairman of the House Committee on Rivers and Harbors makes a reference to this in his report, which seems to show that in his opinion the later or larger improvement was adopted, but what he said in his report is not the question. The question is, How did he designate this improvement in the bill itself? Even if he did designate it in the report, the question would still be uncertain.

The important question about this \$600,000 is, What are we doing? Upon what do we intend to expend this money? What is the limit of the improvement? Are we by this provision committing ourselves to an expenditure of \$20,000,000 for the Missouri River below Kansas City, and practically committing ourselves, as well, to an expenditure of \$22,500,000 for the section between Kansas City and Sioux City, with an annual maintenance expense of \$500,000 between Kansas City and the mouth, and \$562,500 above Kansas City? I might add to that the annual expense of snagging, which is \$110,000, making the enormous figure—enormous for maintenance—of \$1,172,500.

Mr. President, having spoken on this point and called the attention of the Senate to the importance of understanding what is intended here, I wish to submit a few remarks in regard to the improvement of the interior rivers of this country. I have labored with this question for many years. The usual result of providing for the improvement of rivers has been a disappointment. It is useless to grope around to seek the causes; they are perfectly manifest, and I take the liberty to repeat in substance some observations on this subject already made. The crux of the whole question is the establishment of harmonious relations between the transportation agencies of the country—the rivers and the railroads.

It is impossible to frame judicious plans for the improvement of rivers and inland waterways in the United States without a careful review of the whole subject of transportation. No adequate development of the waterways of the United States can be secured without a readjustment of the relations between waterways and railways. Both should be considered as agencies for the carrying of traffic. In many instances the economical transfer of freight from one portion of the country to the other involves the use of both railways and waterways, and without cooperation between them the most helpful results can not be secured. As long as unrestricted competition exists under present conditions the railways will continue to carry a large amount of traffic that should more properly go by water.

There are certain advantages belonging to the railways which are permanent and inevitable. They have a wider area of distribution; they can be constructed in any direction; they are more readily adaptable to the newly arising and ever-shifting demands of producing areas and of markets. In the handling of freight they have great advantages, because in providing for the receipt and delivery of freight at factories or warehouses, branch lines or switches can be constructed. Railroads can reach all towns and cities alike, whether located on the water or not, while obviously boats or barges can not be used except for the receipt and delivery of freight or passengers from or to localities upon waterways. Railroads have a further advantage in the increasing importance of terminals and facilities necessary for the prompt and economical loading and unloading of freight.

The cost of hauling freight, as compared with the handling or delivery at terminal points, has experienced a great change

in the last 40 years. The cost of hauling has very materially decreased, while the cost of handling and the expenses connected with terminal facilities, though diminished in many ways, have not decreased accordingly. There is also a readier transfer of traffic from one railroad to another, as compared with the transfer from water to land or land to water. The variation in the level of rivers increases the difficulty of providing an adequate equipment for handling freight on the banks of most of our rivers. The freight carried by rail is more perfectly protected from storm and from the elements, and the railway insures goods carried in its cars or handled at its terminals against loss.

These points, Mr. President, in my judgment, contain the vital reasons for the decadence of water-borne traffic on our inland waters.

The waterways must always be confronted with these disadvantages. There are others, however, which can be prevented or regulated by law, such as the right to charge lower rates between points where railway lines are in competition with water routes. The railways are not prohibited from acquiring boat lines in competition with them, or from making traffic arrangements with them, but ordinarily they refuse to prorate on through routes. Frequent reference has been made to the development of waterways in Europe, and sometimes without any adequate comprehension of different conditions existing there. These arise from greater density of population, the earlier development and greater advantage of waterway systems, the existence of a class of boatmen engaged in waterway traffic, who are willing to work with comparatively small gains, and either State ownership of the railways and their management in cooperation with waterways, or complete control and regulation as in France, where the railways are compelled to charge 20 per cent more than the waterways for carrying the same variety of freight. It should not be overlooked that the railway mileage per square mile in the settled portions of the United States is greater than in Europe, and the mileage per 1,000 of population is five times as great in the United States as in Europe, showing that our country is much more adequately furnished with the means for railway transportation.

Notwithstanding the great advantages belonging to railways in the transportation field, the superior qualities of waterways

and the greater freedom of competition which pertains to water transportation can not be disregarded. Under the present relations between the two means of carrying freight, however, most of our inland waterways can not be utilized to a high degree of efficiency.

Mr. President, in a few words I have thus sought to set forth my position in regard to the development of rivers. I fear that much of the work thus far done and many of the appropriations thus far made will not only result unsatisfactorily, but in waste and in loss. If there is any place in the whole United States where an attempt to develop waterway transportation has in it nothing but discouragement, it is on this stretch of the Missouri River from the mouth to Kansas City.

In the olden days, in 1858, the trains of the so-called Pacific Railway used to run from St. Louis to Jefferson City, and from there the passengers were carried by boat to Kansas City. The river was an important artery of commerce. All that, however, is changed. In the last year let us see what the returns were after a grand total of expenditures made for the whole river—and it is difficult to separate this stretch—a grand total of \$12,019,022.01.

The commerce on the Missouri River from the mouth to Sioux City, a distance of about 800 miles, was as follows:

Long-trade packets. How much freight was carried? One hundred and thirty-three tons. To such a result have we come after the expenditure of over \$12,000,000! The average length of haul of this 133 tons was a trifle over 100 miles. This was all that had any semblance of through traffic.

Short-trade packets, miscellaneous boats, and so forth, 24,437 tons. This was carried an average of about 21 miles. With the consent of the Senate, I shall present the figures which are taken from the last report of the Chief of Engineers, and ask that they be printed together with my remarks.

The PRESIDING OFFICER. Without objection, the Senator from Ohio has permission to print the matter referred to by him.

The matter referred to is as follows:

The following table, giving the amount of freight carried, towed, and rafted, but not including any ferriage, is an approximation to the lower Missouri River trade for 1909:

Commerce of the Missouri River from mouth to Sioux City, Iowa, during the calendar year 1909.

Class.	Grain and hay.	Live stock.	Lumber, wood, and ties.	Building material, sand, and coal.	General merchandise.	Total.	Mile-tons.
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	
Long-trade packets.....	83		20		30	133	13,738
Short-trade packets, miscellaneous boats, etc.....	7,211	2,188	4,466	8,958	1,614	24,437	503,085
Sand steamers and barges.....				290,263		290,263	259,851
Rafts.....			6,700			6,700	168,782
Riprap, willows, and lumber used by private parties for bank protection.....				19,277		19,277	273,200
Total.....	7,294	2,188	11,186	318,498	1,644	340,810	1,218,696

Passengers carried, 2,371.

Mr. BURTON. The next item is larger in tonnage—sand steamers and barges, 290,263 tons. But let us see how far it is carried. The total ton-mileage was 259,251 miles, showing that this sand was hauled an average of less than 1 mile, and yet it is counted in the tonnage statistics. Rafts, 6,700 tons; riprap, willows, and lumber used by private parties for bank protection, 19,277 tons.

It does not need any argument to show that all of this traffic, except the long-trade packets carrying 133 tons and the short-trade packets carrying 24,437 tons, the former with an average of about 101 miles and the latter of about 21 miles, can be provided for without any elaborate improvement of that river.

Mr. President, these figures speak louder than any argument of mine in proclaiming the facts. Oh, but it is said, there can not be any navigation on the river because you do not improve it; spend \$20,000,000, and if you do not spend \$20,000,000 at least spend \$3,500,000. Unfortunately, Mr. President, we have tried that out in the years that have past and have found that the expenditure of these millions accomplishes no results, and that even before the Government entered upon its plan of improvement this river was utilized for the conveyance of traffic far more than now.

I do not object to the spending of a reasonable sum of money on this river—hundreds of thousands of dollars even—to see if you can develop navigation. I think it will prove a costly experiment, but an effort has been made at Kansas City to build boats to compete with the railways and within reasonable

limits they should be encouraged. It should be noted, however, that in the face of the statement made to us that a million dollars has been subscribed by the merchants of that city, and the further statement that the merchants have agreed to ship by that river, nothing has as yet been done, although there is a channel of sufficient depth and width for a large portion of the year to carry the traffic.

I think it is a pretty strong proposition to say that when a million dollars is proposed to be invested in boats, \$3,500,000 shall be appropriated by the Government to aid the channels for those boats. And what is the fact? They are confronted with an unnatural situation as to railroad freight rates. The rate on first-class freight from New York to St. Louis is 87½ cents per hundred; from New York to Kansas City it is \$1.47½ per hundred; that is, 87½ cents for more than 1,000 miles from New York to St. Louis, and 60 cents, or more than two-thirds as much, for the shorter haul of less than 400 miles from St. Louis to Kansas City. Do away with that discrimination or inequality and no matter if the river was studded with boats every one of them would be taken off. That is what has happened in the past, and just so sure as transportation conditions are as they now are, that is what will happen in the future.

I want to make reference briefly to some other river channels, where they have not only the 6 feet which is so anxiously sought here, but more. The best object lesson is the Mississippi River from St. Louis down to Cairo, a stretch of 206 miles. From Cairo to the Gulf there is an assured depth of 9 feet. From

St. Louis to Cairo there has been, for six or seven years past, an 8-foot channel; that is, they have between St. Louis and New Orleans, between the greatest city in the Mississippi Valley and an ocean port, a channel not less than 8 feet in depth.

First, let us notice what we have been expending on that stretch of river. The money appropriated for this stretch of 206 miles by Congress for the 20 years ending in 1907 exceeds the amount expended by the Central Government of Germany in the improvement of the Rhine from Strassburg to the frontier of Holland, a distance of 355 miles, but the amount of tonnage handled on this portion of the Mississippi River in 1908 was only 374,000 tons, while that on the Rhine in the same year was between thirty and forty million tons, an amount eighty to one hundred times as great.

Some people say that we have been niggardly in our appropriations for the improvement of rivers. Let us see whether we have been niggardly in this case or not. The amount expended is almost the same as on the Missouri River. In 1881 the estimated cost of obtaining a channel 8 feet in depth was \$16,397,500. Up to June 30, 1909, the amount expended in seeking to obtain this 8-foot channel was \$12,718,000, and then, after they had expended more than three-fourths of the estimated amount, a reexamination was asked to ascertain how much it would cost to be assured of that depth. The estimated cost of obtaining a permanent 8-foot channel from St. Louis to Cairo in 1909 was \$21,000,000; in other words, after \$12,000,000 had been spent for this purpose, it was estimated that it would cost nearly \$5,000,000 more than before a dollar was expended to secure the channel. That does not give much hope of assured or salutary results. In the meantime an 8-foot channel has been in existence and readily available, save for a few days in the year, for six or seven years past.

Now, let us look at the traffic statistics. Let us see what hope we have for the Missouri when we compare it with another stream, on which St. Louis, a great city, is located. For 206 miles below that city there is a channel 8 feet deep, where it meets a great highway of commerce—the Ohio—and then below that a 9-foot channel by the Mississippi to the Gulf. The amount of traffic in this stretch of the river before expensive improvements were commenced, as measured by shipments from St. Louis in 1880, was 1,038,000 tons. At that time the prevailing depth was only between 3½ and 4 feet; that is, when the prevailing depth was 4 feet or less there was a traffic of over 1,000,000 tons. In the year 1908, with a depth of 8 feet, the volume of shipments from St. Louis was only 72,740 tons, or about one-fourteenth of the former amount.

Mr. President, I submit that in the face of such figures as these we should realize our responsibility to the people and be more careful in the making of appropriations for inland waterways. We are not doing our duty unless we do. A great change has taken place in conditions. These rivers, even though improved, are no longer utilized as they once were.

Passing now from the Mississippi River, which is a main stream, I want to give a few statistics as to the Red River, a smaller tributary than the Missouri; but, Mr. President, a river on which the prospects of development are as hopeful as on the Missouri. Like the Missouri, it drains an empire. The Red River flows in one general direction, from northwest to southeast. The Missouri from its mouth extends 400 miles to Kansas City, and then, as it were, if you go further upstream, it turns at right angles; and on all that upper portion there are towns, reached by railways, which cross the river, carrying their products away to Chicago and to other cities. Again, the railway development in the locality of the Red River is by no means as great as it is in the neighborhood of the Missouri. The general range of charges for the carrying of traffic is very materially less in the valley of the Missouri. Still another point: From Kansas City to St. Louis there are numerous competing railways, while along the general course of the Red River there is an entire absence of the sharp competition that prevails between Kansas City and St. Louis.

Now, I want briefly to call the attention of the Senate to the amount of traffic on the Red River. Its improvement was commenced in the year 1828. We have expended altogether something like \$2,600,000 on this stream. At one time it was a great artery of commerce. Just at the close of the Civil War a large fleet of boats gathered at Shreveport, on this river. In earlier days there was a large amount of cotton, sugar, and other products of that region carried upon it. What was carried upon it, exclusive of saw logs, in the year 1908? Cotton, 6 tons; cotton seed, 300 tons; hides and skins, five one-hundredths of a ton—that would be 100 pounds—provisions, 6 tons; grain, 18 tons; miscellaneous, 511 tons. What a pitiable showing. There had been altogether an expenditure of \$2,600,000 on this

river, and yet less than a thousand tons were carried on it, aside from that which could float down or be carried down without this expensive improvement. This is another object lesson as to the probable result of the expensive improvement of the Missouri.

Mr. President, I am unwilling that this bill should pass without calling attention to the probable result of such an appropriation as this. We have, as was once said, "no lamp to guide our feet except that of experience," and experience in this particular has afforded a very unfavorable lesson.

The pending bill, be it said, does not provide to any such extent as did the prior bill for another class of extravagant improvements on rivers, namely, the construction of locks and dams, so that it is not necessary to dwell at length upon that subject.

I think we made one step forward when we inserted in the railroad bill a provision to the effect that when a railroad has lowered rates on lines in competition with water routes it can not raise them again except on proper showing made to the Interstate Commerce Commission, and requiring proof that the lower rates were not established to eliminate water competition. That was one of the recommendations of the National Waterways Commission.

I concede that freight rates are affected by the improvement of streams where traffic does develop, but what are we to do? Waste money by the hundreds of millions just to make our railways behave themselves? Have we not the courage, through the agencies that belong to the Government, when a railroad's charges are exorbitant, to compel it to lower its rates by appropriate legislation? I most emphatically dissent from the idea that we should engage in this kind of enterprise, in which confessedly we waste money in the hope—the realization, no doubt, in some cases—that railroad rates will be lowered. There is a readier and more intelligent and sensible way to do that than by this line of indirection.

There is one other phase of this proposed improvement. I quote from page 29 of the Report of the Chief of Engineers made in the Sixtieth Congress, second session:

Sheet 3 shows what great erosion is possible on these reaches, especially from Sioux City to Kansas City. Every change in velocity or direction of current means new erosion and subsequent partial deposit, causing untold loss in value of land and products. The existence of old lakes in the upper reach show conclusively where the river has meandered, and that in only recent years. The bottom land threatened or to be benefited on the upper reach, Sioux City to Kansas City, is 1,141.5 square miles, or 730,560 acres; and on the lower reach, Kansas City to the mouth, 788.8 square miles, or 504,832 acres. Total for the two reaches, 1,235,392 acres, which, at \$100 per acre, would be worth nearly \$125,000,000. To this amount should be added 24,000 acres of sand bar which would be reclaimed and filled in by improvement, and at \$50 per acre would be worth \$1,200,000.

Now, then, we should understand what will be the result of expenditures there. Are we making this improvement for navigation or for land reclamation?

What is to be the principal result—improved navigation or the protection or creation of private property? It is perfectly clear, it seems to me, to any mind which will give consideration to the facts that this is not going to develop any navigation.

The correct rule in the prosecution of this work would be for the Government to join with the localities and with the owners of the lands abutting in a fair division of the burden of expense. We have been doing too much of this work under the guise or semblance of improving navigation, where in reality the sole effect is the benefit of private property in the locality.

Mr. President, I do not desire to detain the Senate longer, except to say that there is a rational way to manage this whole problem, and that is to begin with the idea that the control and utilization of the waters of the United States are just as important as the control and utilization of the land; that water as well as broad acres is an asset of the country.

Water may be utilized for navigation in certain instances, for irrigation in others, for furnishing a water supply in others; that under the influence of the tempest or the flood it is a destroying agent rather than a beneficent one. So far as we may we should control floods, prevent the erosion of banks, secure clarification as far as possible, all as a part of one great plan. Until we frame such a plan and take up this question in its entirety our treatment of the subject will necessarily be partial, and will bring no benefit commensurate with the cost; but when we unite all these uses, navigation can be developed where it is useful and desirable, irrigation can be fostered, water can be clarified, water power can be utilized, and in the combination of all these great objects unmeasured benefits will inure to the benefit of the people.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The reading of the bill was resumed. The next amendment of the Committee on Commerce was, on page 43, after line 23, to insert:

Improving harbor at Humboldt Bay, Cal.: Continuing improvement, \$170,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$717,400, exclusive of the amounts herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 44, line 8, after the word "California," to strike out "Completing improvement of channel from the outer harbor to and including the turning basin, \$220,000; continuing improvement of the lateral channels into the east and west basins, \$50,000" and insert "Continuing improvement by dredging, \$270,000," so as to make the clause read:

Improving Los Angeles Harbor, Cal.: Continuing improvement by dredging, \$270,000.

The amendment was agreed to.

The next amendment was, at the top of page 45, to insert:

Improving channel over Pinole Shoal, San Pablo Bay, Cal., in accordance with the report submitted in House Document No. 1103, Sixtieth Congress, second session, including the construction of a dredge for maintenance, \$400,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$360,000, exclusive of the amount herein appropriated.

The amendment was agreed to.

The next amendment was, on page 46, line 6, before the word "hundred," to strike out "one" and insert "three," and in the same line, after the word "dollars," to insert "*Provided*, That the Secretary of War may enter into contract or contracts for such materials and work as may be necessary for the construction of two suitable dredging plants, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$320,000, exclusive of the amounts herein and heretofore appropriated," so as to make the clause read:

Improving Columbia and lower Willamette Rivers below Portland, Oreg.: Continuing improvement and for maintenance, \$350,000: *Provided*, That the Secretary of War may enter into contract or contracts for such materials and work as may be necessary for the construction of two suitable dredging plants, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$320,000 exclusive of the amounts herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 46, after line 19, to insert:

The provision of the river and harbor act approved June 25, 1910, making appropriation for improving Siuslaw River, Oreg., is hereby amended so as to read as follows:

"Siuslaw River, Oreg.: Improving Siuslaw River, Oreg., at the mouth, in accordance with the project set forth in the report submitted in House Document No. 648, Sixty-first Congress, second session, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such material and work as may be necessary to complete said project and to maintain the same for one year during construction, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$165,000, exclusive of the amount herein appropriated: *Provided further*, That before beginning said work or making said contract or contracts the Secretary of War shall be satisfied, by deposit or otherwise, that the port of Siuslaw or other agency shall provide for the accomplishment of said project the additional sum of \$215,500, which said sum shall be expended by the Secretary of War in the prosecution of said work and for its maintenance in the same manner and in equal amount as the sum herein appropriated and authorized to be appropriated from the Treasury of the United States: *And provided further*, That the port of Siuslaw may proceed with the construction of the south jetty in pursuance of the contract with Robert Wakefield, entered into December 24, 1909, to the full extent of said contract; and the amount to be furnished by the said port of Siuslaw, or other agency, as aforesaid, may be reduced by such amounts, not exceeding \$100,000, as may be expended under said contract, provided all the work so done shall be in accord with the project herein adopted and satisfactory to the Secretary of War."

The amendment was agreed to.

The next amendment was, on page 48, after line 19, to insert:

Improving harbor at Bellingham, Wash.: Continuing improvement in accordance with the report submitted in House Document No. 1161, Sixtieth Congress, second session, and subject to the conditions relative to cooperation on the part of local interests as set forth in said document, \$25,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$52,250, exclusive of the amounts herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 49, after line 16, to insert:

Improving harbor at Olympia, Wash.: Completing improvement in accordance with the report of the Board of Engineers for Rivers and Harbors, dated March 9, 1908, and printed in Rivers and Harbors Committee Document No. 5, Sixty-first Congress, second session, and subject to the conditions relative to cooperation on the part of local interests as set forth in said document, \$43,000.

The amendment was agreed to.

The next amendment was, at the top of page 50, to insert:

Improving Willapa River and Harbor, Wash.: Continuing improvement in accordance with the report submitted in House Document No. 564, Sixty-first Congress, second session, and subject to the conditions relative to cooperation on the part of local interests, as set forth in said document, \$50,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to complete the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$118,132, exclusive of the amounts herein and heretofore appropriated.

The amendment was agreed to.

The next amendment was, on page 51, line 14, after the word "appropriated," to insert "*Provided further*, That the Secretary of War be authorized to have a resurvey made of Hilo Harbor with a view to determining whether a modification of the adopted project can be made which will increase the commercial facilities of the harbor without increasing the original limit of cost of the work," so as to make the clause read:

Improving harbor at Hilo, Hawaii: Continuing improvement, \$250,000: *Provided*, That the Secretary of War may enter into a contract or contracts for such materials and work as may be necessary to prosecute the said project, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$250,000, exclusive of the amounts herein and heretofore appropriated: *Provided further*, That the Secretary of War be authorized to have a resurvey made of Hilo Harbor with a view to determining whether a modification of the adopted project can be made which will increase the commercial facilities of the harbor without increasing the original limit of cost of the work.

The amendment was agreed to.

The next amendment was, in section 2, page 54, after line 8, to insert:

Rockland Harbor, Me., at and near Atlantic Point.
Kennebec River, channel west of Swan Island, Me.
Bluehill Inner Harbor, Me.
Winter Harbor, Me.
Carvers Harbor, Vinalhaven, Me.

The amendment was agreed to.

The next amendment was, on page 54, after line 18, to insert: Providence River and Harbor, R. I., with a view to deepening the channel to 30 feet.

The amendment was agreed to.

The next amendment was, on page 55, after line 3, to insert:

New York Harbor, N. Y., with a view to securing a suitable depth of channel to the navy yard.
Gowanus Bay, N. Y., with a view to removing the shoal therein and making such other improvements as may be advisable, including a full consideration of the desirability and propriety of cooperation with local interests.

For a deep-water connection with suitable terminals that may be established at North Tonawanda at the head of the New York State Barge Canal.

Fort Pond Bay, Suffolk County, N. Y.
New York Harbor, N. Y., with a view to securing increased width and depth of water from a point at or near Southwest Spit, northwest of Sandy Hook, N. J., through Lower Bay, Raritan Bay, the channel between New Jersey and Staten Island, N. Y., to the channel in Upper Bay.

The amendment was agreed to.

The next amendment was, on page 55, after line 23, to insert:

Delaware River, at Morrisville, Pa.
Allegheny River, Pa., with a view to the construction of additional locks and dams.
Leipsic River, Del.
Appoquinimink River, Del.
Mispillion River, Del.
Murderkill River, Del.
Little River, Del.

The amendment was agreed to.

The next amendment was, on page 56, line 11, after the word "Virginia," to insert "and waters near, in, and about the city of Newport News," so as to make the clause read:

Harbor at Newport News, Va., and waters near, in, and about the city of Newport News, with a view to securing increased anchorage area for small craft.

The amendment was agreed to.

The next amendment was, on page 56, after line 13, to insert:

Cape Charles City Harbor, Va., with a view to straightening the north side of channel at the entrance and increasing the width of the channel to 200 feet.
Western Branch of Elizabeth River, Va., with a view to deepening and widening the approach thereto.
Archies Hope River, Va., from Williamsburg to James River.
Potomac River at Colonial Beach, Va., with a view to a proper approach to the landing place.
Pamlico River, N. C., with a view to improving the inner channel on the north side of that river, and with a further view of removing any excavated material which may have heretofore been placed therein by the War Department, beginning at the mouth of Runyons Creek, on the north side of said river, below Washington, N. C., and extending eastwardly down said river as far as may be necessary.
Northeast Cape Fear River, N. C., from its mouth to Hallsville.

The amendment was agreed to.

The next amendment was, on page 57, after line 11, to insert: Swift Creek, N. C., with a view to dredging a channel through Horse Shoe Bend and Poplar Branch.

Basin of Winyah Bay, S. C., with a view to providing a uniform depth of 18 feet at mean low water and to giving increased harbor facilities to the city of Georgetown.

The amendment was agreed to.

The next amendment was, on page 57, after line 17, to strike out—

Darien Harbor, Ga., with a view to securing the best channel to the sea—

And insert:

Darien Harbor and Doby Bar, Ga., with a view to securing the same depth on the bar as in the harbor, namely, 12 feet at mean low water.

The amendment was agreed to.

The next amendment was, on page 57, after line 22, to insert:

Tugaloo River, Ga. and S. C., from its mouth to Fort Madison, S. C. Clearwater Harbor, Fla., from the mouth of the Anclote River to the beginning of the channel now being constructed by the Government from the south end of Clearwater Harbor into and through Boca Ciega Bay, thence into Tampa Bay.

St. Johns River, Fla., from deep water at or below Commodore Point to deep water above Sixmile Creek westward of the middle ground between Arlington Cut and the western shore of the river, including a full consideration of the desirability and propriety of cooperation on the part of riparian owners.

St. Marks River, Fla., from the town of St. Marks to the Gulf of Mexico.

Channel between the St. Johns River, Fla., and Cumberland Sound, by way of the Sisters Creek out of the St. Johns River, with a view to straightening and deepening the channel.

Harbor at St. Petersburg, Fla.

The amendment was agreed to.

The next amendment was, on page 59, after line 3, to insert:

Bayou Lafourche, La., with a view to removing obstructions deposited by storms at its mouth and to restoring the depth at that point to 16 feet.

The amendment was agreed to.

The next amendment was, on page 59, after line 7, to insert:

Mermentau River, La., with a view to the construction of a lock and dam to maintain the level of the inland waterway running through Grand Lake.

The amendment was agreed to.

The next amendment was, on page 59, after line 16, to insert:

Guadeloupe River, Tex., to Victoria, with a view to improvement by locks and dams.

Colorado River, Tex., with a view to improvement by locks and dams. The mouth of the Brazos River to Velasco, Tex., and from Velasco to Waco.

Green River, Ky., at and near Lock and Dam No. 3, near Rochester, with a view to the diversion of the waters of Mud River from its present mouth above the said lock and dam to a suitable point below.

The amendment was agreed to.

The next amendment was, on page 60, after line 2, to insert:

Survey and estimate of the cost of improving the Cuyahoga River, Ohio, from its mouth to a more southerly connection with the Ohio Canal, with a view to eliminating bends and securing a navigable depth of 21 feet, with suitable width; and the said survey and estimate shall include a report on any proposition for cooperation by localities affected thereby.

The amendment was agreed to.

The next amendment was, on page 60, after line 10, to insert:

White Lake Harbor, Mich., from the mouth of the channel to White Lake.

Pentwater Harbor, Mich., from the mouth of the channel to Pentwater Lake.

St. Joseph Harbor, Mich., with a view to its further improvement by the removal of a shoal and the securing of increased width and depth of channel below the Pere Marquette Railroad bridge.

The amendment was agreed to.

The next amendment was, on page 60, line 22, after the word "improvement," to strike out "in order" and insert "and maintenance," so as to make the clause read:

Manitowoc Harbor and River, Wis., with a view to their further improvement and maintenance to meet the demands of commerce by the deepening of said river, etc.

The amendment was agreed to.

The next amendment was, on page 61, after line 2, to insert:

Lake of the Woods, at or near Arnesen, Minn., with a view to securing a harbor of refuge at that point.

The amendment was agreed to.

The next amendment was, on page 61, after line 8, to insert:

Crescent City Harbor, Cal.

The amendment was agreed to.

The next amendment was, on page 61, after line 15, to insert:

Fremont Channel and McLeod Lake arms of Stockton Channel, San Joaquin River, Cal.

Mokelumne River, Cal., with a view to its improvement from the Galt-New Hope Bridge to a point at or near Woodbridge.

San Rafael Creek, Cal.

The amendment was agreed to.

The next amendment was, on page 61, after line 22, to insert:

Nehalem Bar and entrance to Nehalem Bay, Oreg., with view to improvement of same in cooperation with local interests.

Oregon Slough branch of Columbia River, Oreg., including a consideration of any proposition for cooperation by localities affected thereby.

The amendment was agreed to.

The next amendment was, on page 62, line 4, after the word "Yaquina," to insert "with report upon any proposition for cooperation by local interests," so as to make the clause read:

Yaquina River, Oreg., from Toledo to Yaquina, with report upon any proposition for cooperation by local interests.

The amendment was agreed to.

The next amendment was, on page 62, after line 8, to insert:

San Juan Harbor, P. R.

The amendment was agreed to.

The next amendment was, on page 63, after line 12, to insert as a new section the following:

SEC. 4. That so much of section 7 of the rivers and harbors act approved March 3, 1909, as provides that the term of the National Waterways Commission shall expire on March 4, 1911, be, and the same is hereby, repealed; and the said commission shall be continued until March 4, 1913. In addition to the duties prescribed in said section 7, said commission is hereby authorized and directed to investigate questions pertaining to waterways and correlated subjects, including the work upon the same by the different bureaus and departments of the Government. The provision in the said section 7 of the act of March 3, 1909, to the effect that the several departments and bureaus of the Government shall detail from time to time such officials and employees and furnish such information as may be requested by said commission in its investigations, is hereby reenacted and made applicable to the additional duties created by this section, and the said commission shall file a report upon the subjects herein set forth not later than January 1, 1913. Said commission is also authorized and directed to investigate and report upon the advisability and feasibility of proposed artificial waterways and upon proposed plans for the impounding of flood waters in rivers, by reservoirs or otherwise, including the following: First, the construction by the United States of the proposed canal from the Ohio River, at a point near Pittsburgh, to Lake Erie, the expense thereof being borne by local interests affected; second, the proposed canal from Lake Erie, by way of the Maumee River and Fort Wayne, or other direct and feasible route, to the southerly end of Lake Michigan; third, the proposed canal to connect the Anacostia River at some point near the District of Columbia boundary line with Chesapeake Bay, or some tributary thereof; also upon the practicability and desirability of constructing reservoirs and other hydraulic works necessary for the storage and utilization of water, to prevent floods and overflows, erosion of river banks and breaks in levees, and to regulate the flow of streams and enforce such flow during drought and low-water seasons in the drainage basin of the Ohio River and its tributaries; and the said commission in its report shall make recommendations as to the policy to be adopted in case such projects shall be deemed feasible. For the obtaining of the necessary engineering data the commission is authorized to call upon the Engineer Corps of the United States Army, and said corps shall furnish said data upon the request of the commission, and the expense of obtaining the same shall be paid from the appropriation contained in section 2 of this act.

Mr. BORAH. I desire to have some information in regard to this section. I notice in line 19 of the section it reads:

In addition to the duties prescribed in said section 7, said commission is hereby authorized and directed to investigate questions pertaining to waterways and correlated subjects, including the work upon the same by the different bureaus and departments of the Government.

Is it proposed to give this commission jurisdiction of the reclamation work of the West?

Mr. BURTON. I think I can answer the question. Perhaps the chairman of the committee can answer it more readily. Not except as connected with navigation, and by no means as far as turning over to them any control of reclamation work.

Mr. BORAH. May I ask another question? Would it not be possible to give the reclamation work over to this commission—that is, to permit the commission to assume jurisdiction of it if anyone desired to have it so?

Mr. BURTON. If anyone desired to have it so?

Mr. BORAH. Yes.

Mr. BURTON. I do not think it would be within the practical scope of their work to take charge of it.

Mr. BORAH. I understand, then, it is not the intention of the committee that such shall be done.

Mr. BURTON. I do not think so.

Mr. NELSON. The Senator from Idaho is correct. There is no purpose of that kind in the bill. It is simply a revival of an old commission which has been in existence for some time, and which has never attempted to interfere with reclamation work.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the committee.

The amendment was agreed to.

The next amendment of the Committee on Commerce was, on page 65, after line 11, to insert as a new section the following:

SEC. 5. That the Corps of Engineers of the United States Army is hereby increased by five colonels, six lieutenant colonels, 19 majors, 17 captains, and 13 first lieutenants. The increase in each grade hereby provided for shall be extended over a period of five years as nearly as practicable, and the original vacancies hereby created in each grade shall be filled by promotion from the next lower grade in accordance with existing law: *Provided*, That officers of the Corps of Engineers, when on duty under the Chief of Engineers, connected solely with the work of river and harbor improvements, may, while so employed, be paid their pay and commutation of quarters from the appropriations for the work or works upon which they are employed: *Provided further*, That whenever it shall be necessary, in order to properly prosecute works of river and harbor improvement, the Chief of Engineers is

authorized to detail for duty in charge of river and harbor districts or as members of boards of engineers any assistant engineers in the employ of the Engineer Bureau of the War Department. Vacancies in the grade of second lieutenant in the Corps of Engineers shall hereafter be filled, as far as may be consistent with the interests of the military service, by promotions from the Corps of Cadets at the United States Military Academy: *Provided*, That vacancies remaining in any fiscal year after the assignment of cadets of the class graduating in that fiscal year may be filled from civil life as hereinafter provided: *And provided further*, That the proportion of any graduating class assigned to the Corps of Engineers shall not be less than the proportion which the total number of officers authorized at date of graduation for that corps bears to the total number of officers authorized at same date for all branches of the Army to which cadets are eligible for promotion upon graduation, except when such a proportionate number is more than the number of vacancies existing at date of graduation plus the number of retirements due to occur in the Corps of Engineers prior to the first day of the following January. To become eligible for examination and appointment, a civilian candidate for the appointment as second lieutenant must be an unmarried citizen of the United States between the ages of 21 and 29, who holds a diploma showing graduation in an engineering course from an approved technical school, and is eligible for appointment as a junior engineer under the Engineer Bureau of the War Department. Selection of eligible civilians for appointment, including term of probation, shall be made as the result of such competitive examination into the mental, moral, and physical qualifications, and under such rules and regulations as shall be recommended by the Chief of Engineers and approved by the Secretary of War.

Mr. SMOOT. I should like to ask the chairman of the committee what will be the effect of the amendment and what result will follow if the amendment is adopted.

Mr. FRYE. It will increase the corps of engineers who can be employed in river and harbor work about one-third, my recollection is. It has been recommended by the Secretary of War and by the President, and the Senate Committee on Military Affairs have reported favorably on a similar measure now pending before the Senate.

Mr. SMOOT. Does it increase from to-day the number of officers in the Army?

Mr. FRYE. I do not think it increases the number of officers.

Mr. BORAH. Is not this the same provision, except that there are a less number of officers, that is covered by the bill coming from the House—House bill 7117?

Mr. WARREN. Mr. President, it is something like it, but it is not the same, and I think the proviso in the bill which is, perhaps, in the Senator's mind is not contained in this proposed amendment. That proviso, now omitted, read as follows:

Provided, That the President may, in his discretion, detail any Army engineer to the supervision or inspection of any engineering work or works of construction carried on by the Government pursuant to law.

That is not contained in this amendment to the river and harbor bill.

Mr. BORAH. There is no provision, then, in this amendment by which the Army engineers could be used for the purpose for which they were intended to be used, apparently, under the other bill?

Mr. WARREN. None at all. While that bill specifically stated that engineers could be used for various details, this proposed amendment leaves the law in that respect as it has stood for years and simply provides the necessary officers—expert men—to conduct the expenditure of the money carried in this bill and other river and harbor appropriation measures. The Army, as a fighting force, does not need engineers in any great numbers. Out of the present number of officers, 188, there are 162 engaged all the time or a portion of the time upon river and harbor and auxiliary works.

Mr. HEYBURN. I should like to ask, for information, if the provision contained on pages 66 and 67 with reference to the appointment of civilians upon examination who have graduated from some recognized engineering school is existing law.

Mr. WARREN. The amendment provides that—

To become eligible for examination and appointment, a civilian candidate for appointment as second lieutenant must be an unmarried citizen of the United States—

That is the law now regarding the matter—

between the ages of 21 and 29 who holds a diploma showing graduation in an engineering course from an approved technical school, and is eligible for appointment as a junior engineer.

Mr. HEYBURN. Can that class of persons be now appointed to the Engineer Corps under existing law?

Mr. WARREN. No; not directly to that particular corps.

Mr. HEYBURN. I thought it was a new provision.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SIMMONS. Mr. President—

The PRESIDING OFFICER. The Chair understands that there are to be further amendments offered from the committee.

Mr. FRYE. I desire to offer one or two amendments.

On page 8, line 18, I move to strike out the period, insert a colon, and the following proviso:

Provided, That the project may, in the discretion of the Secretary of War, be so modified as to allow the widening of the channel of the river at bends wherever considered desirable.

The amendment was agreed to.

Mr. FRYE. On page 26, lines 9 and 11, I move to strike out the word "Mermenteau" and insert "Mermenton."

The amendment was agreed to.

Mr. FRYE. I offer the following amendment, which I send to the desk.

The SECRETARY. On page 37, after line 21, insert:

Improving South Haven Harbor, Mich.: The Secretary of War is hereby authorized to enter into a contract or contracts for such materials and work as may be necessary for the completion of this improvement, to be paid for as appropriations may from time to time be made by law, not to exceed in the aggregate \$198,000, exclusive of amounts heretofore appropriated.

The amendment was agreed to.

Mr. FRYE. On page 53, line 16, I move to strike out the words "two hundred and fifty thousand dollars" and insert in lieu thereof "three hundred thousand dollars."

The amendment was agreed to.

Mr. FRYE. On page 60, after line 2, I move to insert: Cimarron River, Okla., from its mouth to source of Kingfisher and Cottonwood Rivers.

The amendment was agreed to.

Mr. FRYE. On page 61, after line 8, I move to insert:

Jordan River, Utah.

The amendment was agreed to.

Mr. FRYE. On page 62, after line 8, I move to insert:

Spoon mouth of Yukon River, from Pastol Bay to the mouth of Kotlik River, Alaska.

The amendment was agreed to.

Mr. SIMMONS. On page 13, at the end of line 22, after the word "dollars," I move to strike out the period and insert a colon and the following proviso:

Provided, That not exceeding \$1,000 thereof may be used for clearing to a depth of 10 feet the channel or cut between the main channel of the river to the Carolina Beach pier.

The amendment was agreed to.

Mr. LODGE. On page 3, after line 14, I move to insert:

Improving Weymouth Fore River, Mass., below Quincy Point Bridge, in accordance with the report submitted January 31, 1911, \$140,000.

Mr. President, that amendment would have been offered during the hearing by the committee if it had not been for the delay in receiving the report. The report has only been sent to the Speaker to-day. I hold it in my hand. It was forwarded by the Secretary of War, to whom it was submitted, for transmission to Congress by the Chief of Engineers. He says:

I concur with the district officer, the division engineer, and the Board of Engineers for Rivers and Harbors that this further improvement is worthy of being undertaken by the General Government, and I regard it as of importance that the full amount of the estimate be made available in a single appropriation.

I will explain in a very few words the necessity for the appropriation and why it was sent in at this time. The Fore River yard, where many of our battleships are built, is on this stream. The increased size of battleships makes the straightening of the river very necessary. There was great difficulty in getting the *North Dakota* out of the river. This matter was taken up largely at the request of the Navy Department. There is a letter here from the Secretary of the Navy, in which he says:

This is of consequence to the Navy, for the reason that the Fore River Shipbuilding Co. from time to time constructs battleships for the Government, and these are liable to be in the near future of 30,000 tons displacement. If, therefore, there is not sufficient water in the river, we shall lose one of our bidders and one of the Navy's resources in the way of shipbuilding.

There is building there at this moment one of the Argentine battleships. If this improvement is not made it is not probable that we can secure further contracts for the building of foreign battleships. It is therefore very important on this account. Besides that, there is a large commerce on this arm of the sea. But this is the need for immediate action, and it is recommended by the department. It has come through the regular channel, and it would have been adopted in the regular way if it could have been submitted at an earlier date.

Mr. NELSON. I suggest to the Senator from Massachusetts that he have those papers printed in the Record.

Mr. LODGE. These are the original papers which were sent to the Speaker, and they will be printed as a document to-morrow morning.

Mr. NELSON. Very well.

Mr. LODGE. I was allowed to take them from the files simply to present them to the Senate.

Mr. FRYE. I am familiar with the locality, and have no objection whatever to the amendment which the Senator from Massachusetts proposes.

The amendment was agreed to.

Mr. McCUMBER. On page 43, after line 16, I move to insert:

For improving the Missouri River between Le Beau, S. Dak., and Fort Benton, Mont., \$150,000, of which amount \$50,000 shall be expended at Bismarck, N. Dak., \$20,000 for repairing and improving the revetment on the east side of the river, and \$30,000 for repairing and improving the dike on the west side of the river.

Mr. FRYE. This survey may have been made, but there has been no report from the engineers or the board of review.

The PRESIDING OFFICER. Is a point of order made against the amendment?

Mr. McCUMBER. I will state that we appropriated for a survey in 1909. There has been sufficient time. The report has really been made, but it has never been submitted. I understand that the work has been done, but it has never been submitted. From the investigation which I have made all along the river of the \$150,000 that was appropriated last year, only about \$15,000 has been actually expended at the present time. I ask that so much of the amount as may be necessary may be used. From information I get by telegraphic communication and otherwise it will require about \$50,000 at Bismarck, N. Dak., and if the other is not necessary it will not be used.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

HOUSE BILLS REFERRED.

H. R. 31856. An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1912, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

H. R. 32010. An act to create a tariff board, was read twice by its title.

Mr. BEVERIDGE. I move that that bill be referred to the Committee on Finance. I have been informed that the Committee on Finance will meet on Friday to consider this measure and that it will have prompt attention. I am sure there will be an early report.

The bill was referred to the Committee on Finance.

EXECUTIVE SESSION.

Mr. CULLOM. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 12 minutes spent in executive session the doors were reopened, and (at 4 o'clock and 2 minutes p. m.) the Senate adjourned until to-morrow, Wednesday, February 1, 1911, at 12 o'clock m.

NOMINATIONS.

Executive nominations received by the Senate January 31, 1911.

APPOINTMENTS IN THE ARMY.

GENERAL OFFICER.

Col. Robert K. Evans, Twenty-eighth Infantry, to be brigadier general from January 30, 1911, vice Brig. Gen. Charles L. Hodges, who accepted an appointment as major general January 28, 1911.

COAST ARTILLERY CORPS.

Everett Martin Balcom, of New Hampshire, late second lieutenant in the Coast Artillery Corps, United States Army, to be second lieutenant from January 27, 1911, to fill an existing vacancy.

PROMOTIONS IN THE ARMY.

COAST ARTILLERY CORPS.

First Lieut. Albert L. Rhoades, Coast Artillery Corps, to be captain from January 29, 1911, vice Capt. Peter C. Hains, jr., resigned January 28, 1911.

Second Lieut. Harry R. Vaughan, Coast Artillery Corps, to be first lieutenant from January 29, 1911, vice First Lieut. Albert L. Rhoades, promoted.

PROMOTION IN THE NAVY.

MARINE CORPS.

Col. William P. Biddle to be Major General Commandant of the United States Marine Corps.

REGISTERS OF LAND OFFICES.

Clyde B. Walker, of Idaho, to be register of the land office at Juneau, Alaska, for the term of four years from January 10, 1910, when he was confirmed as "temporary, pending regular appointment."

David J. Girard, of California, to be register of the land office at Eureka, Cal., his term having expired January 28, 1911. (Reappointment.)

RECEIVER OF PUBLIC MONEYS.

Henry G. McCrossen, of Wisconsin, to be receiver of public moneys at Wausau, Wis., his term having expired January 10, 1911. (Reappointment.)

POSTMASTERS.

CALIFORNIA.

George D. Cunningham to be postmaster at Riverside, Cal., in place of George D. Cunningham. Incumbent's commission expires February 28, 1911.

Orlando J. Lincoln to be postmaster at Santa Cruz, Cal., in place of Orlando J. Lincoln. Incumbent's commission expires February 7, 1911.

William A. Price to be postmaster at Redwood City, Cal., in place of William A. Price. Incumbent's commission expires February 28, 1911.

Linn L. Shaw to be postmaster at Santa Ana, Cal., in place of Linn L. Shaw. Incumbent's commission expires February 28, 1911.

John W. Short to be postmaster at Fresno, Cal., in place of John W. Short. Incumbent's commission expired January 28, 1911.

William L. Williams to be postmaster at Madera, Cal., in place of William L. Williams. Incumbent's commission expires February 12, 1911.

CONNECTICUT.

Ira E. Hicks to be postmaster at New Britain, Conn., in place of Ira E. Hicks. Incumbent's commission expires February 18, 1911.

Courtland C. Potter to be postmaster at Mystic, Conn., in place of Courtland C. Potter. Incumbent's commission expires February 20, 1911.

Frederick L. Scott to be postmaster at Farmington, Conn., in place of Frederick L. Scott. Incumbent's commission expires February 18, 1911.

COLORADO.

J. A. Smith to be postmaster at Stratton, Colo. Office became presidential January 1, 1911.

FLORIDA.

Mary B. Bishop to be postmaster at Eustis, Fla., in place of Mary B. Bishop. Incumbent's commission expired January 29, 1911.

Frank L. Collins to be postmaster at Winterhaven, Fla. Office became presidential January 1, 1911.

George E. Koons to be postmaster at Palmetto, Fla., in place of George E. Koons. Incumbent's commission expired January 29, 1911.

Millard M. Owens to be postmaster at Bonifay, Fla. Office became presidential January 1, 1911.

GEORGIA.

Clifford H. Dyar to be postmaster at Adairsville, Ga., in place of Clifford H. Dyar. Incumbent's commission expired January 9, 1911.

Frank P. Mitchell to be postmaster at Americus, Ga., in place of Frank P. Mitchell. Incumbent's commission expired January 22, 1911.

William E. Perry to be postmaster at Donalsonville, Ga. Office became presidential October 1, 1910.

IDAHO.

C. D. McEachron to be postmaster at Lewiston, Idaho, in place of C. D. McEachron. Incumbent's commission expires February 13, 1911.

Daniel C. Burr to be postmaster at Genesee, Idaho, in place of Thalia L. Owen, resigned.

Orville J. Butler to be postmaster at Harrison, Idaho, in place of Orville J. Butler. Incumbent's commission expired January 28, 1911.

W. Van Iorns to be postmaster at Hagerman, Idaho. Office became presidential July 1, 1910.

ILLINOIS.

A. Leslie Bowling to be postmaster at Equality, Ill. Office became presidential January 1, 1911.

Edward D. Cook to be postmaster at Piper City, Ill., in place of Edward D. Cook. Incumbent's commission expires February 20, 1911.

William L. Jones to be postmaster at Lebanon, Ill., in place of John C. Loudon, deceased.

Frank G. Robinson to be postmaster at El Paso, Ill., in place of Frank G. Robinson. Incumbent's commission expires February 12, 1911.

Thomas H. Stokes to be postmaster at Lincoln, Ill., in place of Thomas H. Stokes. Incumbent's commission expires February 28, 1911.

Leone M. Weir to be postmaster at Rantoul, Ill., in place of Joseph C. Weir, resigned.

INDIANA.

Edward Patton to be postmaster at Veedersburg, Ind., in place of Edward Patton. Incumbent's commission expired January 10, 1911.

IOWA.

James M. Burroughs to be postmaster at Springville, Iowa, in place of Orrin E. Crane, resigned.

George W. Irwin to be postmaster at Merrill, Iowa. Office became presidential January 1, 1911.

Benjamin H. Tamplin to be postmaster at Hull, Iowa, in place of Benjamin H. Tamplin. Incumbent's commission expires February 28, 1911.

Preston T. Waples to be postmaster at Castana, Iowa. Office became presidential January 1, 1910.

KANSAS.

Elmer Alban to be postmaster at Westphalia, Kans. Office became presidential January 1, 1911.

Paul O. Coons to be postmaster at Spring Hill, Kans. Office became presidential January 1, 1911.

Irving Hill to be postmaster at Lawrence, Kans., in place of Irving Hill. Incumbent's commission expires February 16, 1911.

Fred C. Oehler to be postmaster at Cherryvale, Kans., in place of Thomas H. Earnest. Incumbent's commission expired January 30, 1911.

KENTUCKY.

Belle Flanery to be postmaster at Prestonsburg, Ky. Office became presidential January 1, 1911.

MINNESOTA.

Leonard Scott to be postmaster at Deer River, Minn., in place of Murry J. Taylor. Incumbent's commission expires February 4, 1911.

MISSOURI.

C. E. Oden to be postmaster at Cainesville, Mo. Office became presidential January 1, 1911.

MONTANA.

Melvin Rowe to be postmaster at Cascade, Mont. Office became presidential January 1, 1911.

NEBRASKA.

Nellie Strain to be postmaster at Chester, Nebr. Office became presidential January 1, 1911.

NEW JERSEY.

James F. Beardsley to be postmaster at Pompton Lakes, N. J. Office became presidential July 1, 1910.

Joseph Miller to be postmaster at Salem, N. J., in place of Joseph Miller. Incumbent's commission expires February 18, 1911.

NEW YORK.

John B. Alexander to be postmaster at Oswego, N. Y., in place of John B. Alexander. Incumbent's commission expires February 6, 1911.

Andrew D. Annable to be postmaster at Otego, N. Y., in place of Andrew D. Annable. Incumbent's commission expired January 28, 1911.

Adelbert E. Brace to be postmaster at Jordan, N. Y., in place of James E. Peck. Incumbent's commission expires February 7, 1911.

OHIO.

Loui C. Burnham to be postmaster at Milford Center, Ohio. Office became presidential January 1, 1911.

John Carroll to be postmaster at West Lafayette, Ohio. Office became presidential January 1, 1911.

James A. Downs to be postmaster at Scio, Ohio, in place of James A. Downs. Incumbent's commission expires February 12, 1911.

A. G. Eldemiller to be postmaster at West Milton, Ohio, in place of Wirt Kessler. Incumbent's commission expired January 29, 1911.

John C. Rock to be postmaster at West Liberty, Ohio, in place of John C. Rock. Incumbent's commission expires February 7, 1911.

OKLAHOMA.

Noah S. Costelou to be postmaster at Heavener, Okla. Office became presidential January 1, 1911.

A. M. Myers to be postmaster at Lexington, Okla., in place of John H. Asbury, resigned.

PENNSYLVANIA.

William F. Brittain to be postmaster at Muncy, Pa., in place of William F. Brittain. Incumbent's commission expired January 29, 1911.

Howard E. Butz to be postmaster at Huntingdon, Pa., in place of Howard E. Butz. Incumbent's commission expires February 4, 1911.

Harold C. Carpenter to be postmaster at Troy, Pa., in place of Harold C. Carpenter. Incumbent's commission expires February 15, 1911.

Frederick T. Gelder to be postmaster at Forest City, Pa., in place of Frederick T. Gelder. Incumbent's commission expires February 15, 1911.

John B. Griffiths to be postmaster at Jermyn, Pa., in place of John B. Griffiths. Incumbent's commission expires February 13, 1911.

Frank E. Hollar to be postmaster at Shippensburg, Pa., in place of Frank E. Hollar. Incumbent's commission expired June 28, 1910.

Winfred W. Marsh to be postmaster at Westfield, Pa., in place of Edwin S. Holcomb. Incumbent's commission expired February 27, 1909.

John S. Read to be postmaster at Factoryville, Pa., in place of John S. Read. Incumbent's commission expires February 15, 1911.

John H. Thomas to be postmaster at Carbondale, Pa., in place of John H. Thomas. Incumbent's commission expired January 18, 1911.

David M. Turner to be postmaster at Towanda, Pa., in place of David M. Turner. Incumbent's commission expires February 4, 1911.

John S. Weaver to be postmaster at Mechanicsburg, Pa., in place of John S. Weaver. Incumbent's commission expires February 28, 1911.

SOUTH CAROLINA.

Benjamin J. Hammet to be postmaster at Blackville, S. C., in place of Benjamin J. Hammet. Incumbent's commission expired April 5, 1910.

Guss E. Smith to be postmaster at Mullins, S. C., in place of Guss E. Smith. Incumbent's commission expired January 16, 1911.

SOUTH DAKOTA.

Cyrus B. Williamson to be postmaster at Watertown, S. Dak., in place of Cyrus B. Williamson. Incumbent's commission expired December 11, 1910.

TEXAS.

William G. McClain to be postmaster at Waxahachie, Tex., in place of William G. McClain. Incumbent's commission expires February 18, 1911.

Seth B. Strong to be postmaster at Houston, Tex., in place of Seth B. Strong. Incumbent's commission expires February 13, 1911.

VIRGINIA.

J. W. Hubbard to be postmaster at Honaker, Va. Office became presidential July 1, 1910.

James H. Sumpter to be postmaster at Floyd, Va., in place of James H. Sumpter. Incumbent's commission expired January 31, 1911.

WASHINGTON.

Fremont A. Tarr to be postmaster at Montesano, Wash., in place of Fremont A. Tarr. Incumbent's commission expires February 28, 1911.

Frank R. Wright to be postmaster at South Bend, Wash., in place of Frank R. Wright. Incumbent's commission expires February 4, 1911.

WEST VIRGINIA.

Frank S. Smith to be postmaster at Parkersburg, W. Va., in place of Frank S. Smith. Incumbent's commission expired January 7, 1911.

WISCONSIN.

Justin Means to be postmaster at Merrill, Wis., in place of Christian N. Johnson. Incumbent's commission expired June 1, 1910.

Albert H. Tarnutzer to be postmaster at Prairie du Sac, Wis., in place of Albert H. Tarnutzer. Incumbent's commission expires February 12, 1911.

Albert J. Topp to be postmaster at Waterford, Wis. Office became presidential October 1, 1909.

CONFIRMATIONS.

Executive nominations confirmed by the Senate January 31, 1911.

COMMERCE COURT.

William H. Hunt to be additional circuit judge of the United States from the ninth judicial circuit and designated to serve for three years in the Commerce Court.

Robert Wodrow Archbald to be additional circuit judge of the United States from the third judicial circuit and designated to serve for four years in the Commerce Court.

John Emmet Carland to be additional circuit judge of the United States from the eighth judicial circuit and designated to serve for two years in the Commerce Court.

Julian W. Mack to be additional circuit judge of the United States from the seventh judicial circuit and designated to serve for one year in the Commerce Court.

CIRCUIT JUDGE.

Walter I. Smith to be circuit judge, eighth circuit.

DISTRICT JUDGE.

Frank H. Rudkin to be district judge for the eastern district of Washington.

UNITED STATES ATTORNEYS.

Alfred E. Holton to be United States attorney for the western district of North Carolina.

Edward Engerud to be United States attorney, district of North Dakota.

UNITED STATES MARSHAL.

Sidney E. Hawley to be United States marshal for the district of Connecticut.

SECRETARY OF EMBASSY.

George B. Rives to be secretary of the embassy at Rio de Janeiro, Brazil.

UNITED STATES PENSION AGENT.

John R. King to be pension agent at Washington, D. C.

POSTMASTERS.

ILLINOIS.

Palmer E. Anderson, Princeton.
Samuel G. Enloe, Mulberry Grove.
Peter A. Nelson, Lemont.
Otis E. Stumpf, Findlay.
Frank L. Wilkins, St. Anne.

INDIANA.

Lewis C. Johnson, Hartford City.

KANSAS.

J. M. Cannon, Cunningham.

NEBRASKA.

Cary K. Cooper, Humboldt.
Irvin B. Jeffries, Pilger.
Ira E. Tash, Alliance.
Asa B. Wood, Gering.

PENNSYLVANIA.

Joseph W. Shidler, Marianna.
John S. Wilson, Columbia.

TENNESSEE.

George M. Book, Tullahoma.
Ira Marshall Colle, Jefferson City.
M. H. Edmondson, Maryville.
Cary F. Spence, Knoxville.

UTAH.

John A. Smith, Heber.

WEST VIRGINIA.

Fannie E. Helmick, Thomas.

WITHDRAWAL.

Executive nomination withdrawn January 31, 1911.

L. L. Thayer to be postmaster at Bloomer, Wis.

REJECTION.

Executive nomination rejected by the Senate January 31, 1911.

COLLECTOR OF CUSTOMS.

Frederick C. Harper, of Washington, to be collector of customs for the district of Puget Sound, in the State of Washington. (Reappointment.)

HOUSE OF REPRESENTATIVES.

TUESDAY, January 31, 1911.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. Henry N. Couden, D. D.

The Journal of the proceedings of yesterday was read and approved.

CHANGE OF REFERENCE.

By unanimous consent, on the request of Mr. RUCKER of Colorado, reference of House resolution 933, relating to wireless telegraphy, was changed from the Committee on Naval Affairs to the Committee on the Merchant Marine and Fisheries.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 10357. An act authorizing the Secretary of the Interior to issue patent to David Eddington covering homestead entry;

S. 10268. An act granting to the Ozark Power & Water Co. authority to construct a dam across White River, Mo.;

S. 574. An act to authorize J. W. Vance, L. L. Allen, C. F. Helwig, and H. V. Worley, of Pierce City, Mo.; A. B. Durnil, D. H. Kemp, Sig Solomon, J. J. Davis, S. A. Chappell, and W. M. West, of Monett, Mo.; M. L. Coleman, M. T. Davis, Jared R. Woodfill, jr., J. H. Jarrett, and William H. Standish, of Aurora, Lawrence County, Mo.; and L. S. Meyer, F. S. Heffernan, Robert A. Moore, William H. Johnson, J. P. McCammon, M. W. Colbaugh, and W. H. Schreiber, of Springfield, Greene County, Mo., to construct a dam across the James River in Stone County, Mo., and to divert a portion of its waters through a tunnel into the said river again to create electric power;

S. 8084. An act to provide mail receptacles at places of business, and for other purposes;

S. 6991. An act to authorize the compilation of the military and naval records of the Revolutionary War, with a view of their publication;

S. 10052. An act to provide American register for the steamer *Minnesota* upon certain conditions;

S. 8875. An act to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon;

S. 9331. An act to increase the efficiency of the Organized Militia, and for other purposes;

S. 9351. An act to provide for the retirement of officers of the Medical Reserve Corps; and

S. 9903. An act to authorize the Sheridan Railway & Light Co. to construct and operate railway, telegraph, telephone, electric power, and trolley lines through the Fort Mackenzie Military Reservation, and for other purposes.

The message also announced that the Senate had passed, without amendment, bills of the following titles:

H. R. 20109. An act to quiet title to certain land in Dona Ana County, N. Mex.;

H. R. 15660. An act providing for second homestead and desert-land entries;

H. R. 25235. An act to provide for the sale of lands acquired under the provisions of the reclamation act, and which are needed for the purposes of that act; and

H. R. 15665. An act providing for the appointment of deputy clerks to the United States circuit court of appeals.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 8084. An act to provide mail receptacles at places of business, and for other purposes; to the Committee on the Post Office and Post Roads.

S. 6991. An act to authorize the compilation of the military and naval records of the Revolutionary War, with a view of their publication; to the Committee on Military Affairs.

S. 10052. An act to provide American register for the steamer *Minnesota* upon certain conditions; to the Committee on the Merchant Marine and Fisheries.

S. 8875. An act to authorize the establishment of fish-cultural stations on the Columbia River or its tributaries in the State of Oregon; to the Committee on the Merchant Marine and Fisheries.

S. 9331. An act to increase the efficiency of the Organized Militia, and for other purposes; to the Committee on Military Affairs.